Land Use Bylaw for

Consolidated Version
February 1988

LAND USE BY-LAW
FOR
TOWN OF VERMILION

Prepared for: Town of Vermilion
By: Alberta Municipal Affairs
Planning Branch
February, 1988

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BYLAW NO. 3-86
LAND USE BYLAW

Pursuant to the Planning Act, RSA 1980, the Council of the Town of Vermilion duly assembled, hereby enacts as follows:

PART ONE - GENERAL

1. Purpose

The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, amongst other things,

(1) to divide the municipality into districts;

(2) to prescribe and regulate for each district the purposes for which land and buildings may be used;

(3) to establish the office of one or more development officers;

(4) to establish a method of making decisions on applications for development permits including the issuing of development permits;

(5) to provide the manner in which notice of the issuance of a development permit is to be given.

2. Interpretation

In this Bylaw

(1) "Act" means the Planning Act;

(2) "accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;

(3) "accessory use" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building;

(4) "apartment" means a residential building consisting of at least 3 dwelling units, but shall not mean row housing;

(5) "building" includes any thing constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;

(6) "Council" means the Council of the Town of Vermilion

(7) "day care facility" means a building or portion thereof used for the provision of care, maintenance and supervision of seven or more children under the age of fifteen (15) years, by persons unrelated to the children by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours, and includes all day-care centres, nurseries and after-school or baby-sitting programmes which meet the conditions of this definition.

(8) "development" means

(a) an excavation or stockpile and the creation of either of them, or

(b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

(9) "development appeal board" means a development appeal board appointed pursuant to the Planning Act;

(10) "development officer" (DO) means a person appointed as a development officer pursuant to a resolution of Council.

(11) "development permit" means a document authorizing a development issued pursuant to a land use by-law or the land use regulations;

(12) "discretionary use" means the use of land or a building provided for in a land use by-law for which a development permit may be issued upon an application having been made;

(13) "dwelling" means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include mobile homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;

(14) "dwelling unit" means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

(15) "duplex" means two dwelling units sharing a common wall, and located side by side or one above the other;

(16) "family care facility" means a facility which provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes and family homes;

(17) "front yard" means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building situated on the parcel;

(18) "gross floor area" means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area;

(19) "gross floor area ratio" means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total site area of the parcel on which the buildings are located;

(20) "group care facility" means a facility which provides resident services to seven or more individuals of whom one or more are related. These individuals are handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities and foster or boarding homes;

(21) "group home" means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults;

(22) "home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate, not exceeding 2 square feet in area. A home occupation does not include the keeping of a stock in trade, nor the employment of more than one paid assistant other than the occupant and the occupant's family;

(23) "lot" means

(a) a quarter section,

(b) a river lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a land titles office,

(c) a settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a land titles office,

(d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or

(e) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

(24) "main building" means a building in which is conducted the main or principle use of the site on which it is erected;

(25) "mobile home" means a structure whether ordinarily equipped with wheels or not that is manufactured to be moved from one point to another by being towed or carried and which provides year round living accommodation for one or more persons and can be connected to utilities;

(26) "modular unit" means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling units for year-round occupancy;

(27) "municipality" means the Town of Vermilion;

(28) "neighborhood shopping centre" means a building or group of buildings, containing retail commercial operations of the convenience type (eg. grocery store, personal services, bank, etc.);

(29) "non-conforming building" means a building

(a) that is lawfully constructed or lawfully under construction at the date a land use by-law or any amendment thereof affecting the building or land on which the building is situated becomes effective, and

(b) that on the date the land use by-law or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use by-law;

(30) "non-conforming use" means a lawful specific use

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use by-law or any amendment thereof affecting the land or building becomes effective, and

(b) that on the date the land use by-law or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use by-law;

(31) "parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

(32) "permitted use" means the use of land or a building provided for in a land use by-law for which a development permit shall be issued upon an application having been made;

(33) "public utility building" means a building as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;

(34) "rear yard" means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;

(35) "registered owner" means

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

(b) in the case of any other land,

(i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or

(ii) in the absence of a person described in paragraph (i), the person registered under The Land Titles Act as the owner of the fee simple estate in the land;

(36) "row housing" means a residential use where a building or buildings on a lot are each used for at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";

(37) "side yard" means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side wall of the main building;

(38) "substandard lots" means any lot which is less than the minimum site area stipulated in the guidelines of residential district or is of unusual shape;

(39) "yard" means a part of a parcel upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

3. Establishment of Districts

(1) For the purpose of this By-law the Town of Vermilion is divided into the following districts:

Residential District - R1	Commercial District - C2
Residential District - R2	Highway Commercial District - C3
Residential District - R3	Shopping Centre District - C4
Residential District - R4	Neighbourhood Commercial District - C5
Residential Mobile Home Subdivision District - RMH -1	Industrial District - M
Residential Mobile Home Park District - RMH -2	Community District - P
Commercial District - C1	Institutional District - I
	Urban Reserve District UR
	Direct Control District - DC

(2) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto.

(3) Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof.

Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

(a) where dimensions are set out on the Land Use District Map, by the dimensions so set, or

(b) where no dimensions are set out on the Land Use District with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

(4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this By-law and the degree of detail as to measurements and directions as the circumstances may require.

(5) After the Council has fixed a district boundary pursuant to the provisions of subsection (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this By-law.

(6) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

4. Establishment of Land Use District Regulations

Land Use District Regulations shall be as set forth in the Schedule of Land Use District Regulations, being Schedule B hereto, hereby adopted by reference to be part of this By-law, and may be amended in the same manner as any other part of this By-law.

5. Establishment of Sign Regulations

Sign regulations shall be as set forth in the Schedule of Sign Regulations, being Schedule C hereto, hereby adopted by reference to be part of this By-law, and may be amended in the same manner as any other part of this By-law.

PART TWO - AGENCIES

6. Development Officer

(1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.

(2) The Development Officer shall perform such duties that are specified in PART THREE of this By-law.

(3) The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this By-law and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefore.

(4) For the purposes of right of entry, the Development Officer is hereby declared to be an authorized person of the Council.

7. Development Appeal Board

The Development Appeal Board shall perform such duties as are specified in PART FOUR of this By-law.

PART THREE - DEVELOPMENT PERMITS, RULES AND PROCEDURES

8. Control of Development

No development other than that designated in Section 9 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

9. Development Not Requiring a Development Permit

The following development shall not require a development permit:

(1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation.

(2) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 139(3)(d) of the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the first publication of the official notice.

(3) The use of any such buildings as is referred to in subsection (2) for the purpose for which construction was commenced.

(4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 3 feet in height in front yards and less than 6 feet in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.

(5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this by-law.

(6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.

10. Non-Conforming Buildings and Uses

(1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the land use by-law then in effect.

(2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.

(3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

(4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except

(a) as may be necessary to make it a conforming building, or

(b) as the development officer considers necessary for the routine maintenance of the building.

(5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the land use by-law.

(6) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

11. Permission for Development

(1) An application for a development permit shall be made to the Development Officer in writing in the form of Form A hereto and shall be accompanied by:

(a) a site plan in duplicate showing the legal description and the front, rear, and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress points to the site;

(b) floor plans and elevations and sections in duplicate;

(c) a statement of uses;

(d) a statement of ownership of land and interest of the applicant therein;

(e) the estimated commencement and completion dates;

(f) the estimated cost of the project or contract price.

(2) Each application for a development permit shall be accompanied by a fee of $20 except when a building permit is co-incidental to a development permit or a business license for a home occupation. In such cases, the fee applicable to the building permit or business license is sufficient.

(3) The Development Officer shall receive, consider and decide on all applications for a development permit.

(4) Providing a general municipal plan has been adopted by by-law and where council considers it desirable to exercise particular control over the use and development of land or buildings within an area of the municipality it may designate that area as a direct control district.

(5) Where a direct control district is designated, council may regulate and control the use or development of land or buildings in the district in such a manner as it considers necessary.

(6) In making a decision the Development Officer may approve the application unconditionally, or impose conditions considered appropriate, permanently or for a limited period of time or refuse the application.

(7) Council may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, or to pay an off-site levy or redevelopment levy imposed by by-law.

(8) In the case where an application for a development permit has been refused pursuant to this PART or ultimately after appeal pursuant to PART FOUR of this by-law, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the previous refusal.

(9) In the case where a proposed specific use of land or a building is not provided for in any district in the By-law, the Development Officer may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B.

(10) The Development Officer may approve an application for a development permit notwithstanding that the proposed development does not comply with this By-law if, in the opinion of the Development Officer,

(a) the proposed development would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and

(b) the proposed development conforms with the use prescribed for the land or building in the by-law.

(11) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made on it by the Development Officer within 40 days after receipt of the application by the Development Officer and the person claiming to be affected may appeal in writing as provided for in PART FOUR of this By-law as though he has received a refusal at the end of the period specified in this subsection.

12. Development Permits and Notices

(1) A permit granted pursuant to this PART does not come into effect until 15 days after the date an order, decision or development permit is publicized as described in subsection (3) and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

(2) Where an appeal is made pursuant to PART FOUR of this By-law, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.

(3) When a permit has been issued the Development Officer shall:

(a) immediately post a notice in the Town Hall in the case of permits for permitted uses in the R1, R2, R3, RMH 1 or RMH 2 districts and/or

(b) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or

(c) immediately mail a notice in writing to all adjacent land owners who in the opinion of the Development Officer may be affected; and/or

(d) immediately publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.

(4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Officer.

(5) A decision of the Development Officer on an application for a development permit shall be given in writing and a copy of it sent to the applicant.

(6) When the Development Officer refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART FOUR - APPEALS

13. Appeal Procedure

(1) An appeal may be made to the Development Appeal Board where a Development Officer

(a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application

(b) issues a development permit subject to conditions

(c) issues an order under Section 16 of this By-law

(2) The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or development permit of a Development Officer may appeal to the Development Appeal Board.

(3) An appeal shall be made by serving a written notice of appeal to the Secretary of the Development Appeal Board within 14 days after,

(a) the date the order, decision or permit issued by the Development Officer was publicized in accordance with Section 12(3); or

(b) the 40 day period referred to in subsection (1)(a) has expired.

14. Public Hearing

(1) Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.

(2) The Development Appeal Board shall give at least 5 days notice in writing of the public hearing to:

(a) the appellant;

(b) the Development Officer from whose order, decision or development permit the appeal is made;

(c) those adjacent land owners who were notified under Section 12 (3)(c) and any other person who in the opinion of the Development Appeal Board, are affected by the order, decision or permit; and

(d) such other persons as the Development Appeal Board specifies.

(3) The Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:

(a) the application for the development permit, its refusal and the appeal therefrom; or

(b) the order of the Development Officer under Section 16, as the case may be.

(4) At the public hearing referred to in subsection (1), the Board shall hear:

(a) the appellant or any person acting on his behalf;

(b) the Development Officer from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;

(c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and

(d) any other person who claims to be affected by the order, decision or permit and that the Development Appeal Board agrees to hear or a person acting on his behalf.

15. Decision

(1) The Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.

(2) A decision made under this part of the By-law is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Planning Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

(a) to a judge of the Appellate Division; and

(b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

PART FIVE - ENFORCEMENT AND ADMINISTRATION

16. Contravention

(1) Where a Development Officer finds that a development or use of land or buildings is not in accordance with

(a) the Planning Act or the regulations, or

(b) a development permit or subdivision approval, or

(c) the land use by-law,

the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to

(i) stop the development or use of the land or buildings in whole or in part as directed by the notice, or

(ii) demolish, remove or replace the development or

(iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Planning Act, the regulations, a development permit, subdivision approval or this by-law as the case may be.

(2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Development Appeal Board within the time specified, the council or a person appointed by it may, in accordance with the Planning Act, enter upon the land or building and take such action as is necessary to carry out the order.

(3) Where the council or a person appointed by it carries out an order, the council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

17. Application to Amend By-law

(1) A person may apply to have this By-law amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 18.

(2) Council may at any time initiate an amendment to this By-law by directing the Development Officer to initiate an application therefore.

18. Form of Application

(1) All applications for amendment to the Land Use By-law shall be made to the Council in the form of Form G hereto and shall be accompanied by the following, namely:

(a) an application fee of $150 for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee be returned to the applicant;

(b) A certificate of title of the land affected or other documents satisfactory to the Development Officer including the applicant's interest in the said land;

(c) All drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Officer and shall be fully dimensioned, accurately figured, explicit and complete.

19. Amending By-laws

All amendments to this By-law shall be made by Council by by-law and in conformance with the Planning Act.

20. Schedules

Schedules A, B, and C are deemed to be part of this By-law.

21. Repealing Existing Controls

By-law No. 7-80 is hereby repealed.

22. Date of Commencement

This By-law comes into effect upon the date of it finally being passed.

READ A FIRST TIME THE 16th day of April, 1986.
AND ADVERTISED THE 23rd day of April, 1986 AND THE
30th day of April, 1986 IN THE Vermilion Standard.
PUBLIC HEARING HELD THE 7th day of May, 1986.
READ A SECOND TIME THE 7th day of May, 1986.
READ A THIRD TIME AND FINALLY PASSED THIS 7th day of May, 1986.

E. L. Hughes
MAYOR

TOWN MANAGER

SCHEDULE A

LAND USE DISTRICT MAP
(ATTACHED)

SCHEDULE B
SCHEDULE OF LAND USE DISTRICT REGULATIONS
GENERAL PROVISIONS

1. SUBDIVISION OF LAND

Where the development of land involves a subdivision of land, no development permit shall be issued until the application has been submitted to the Director of Planning and written evidence received by the Development Officer that the necessary subdivision has the approval of the Director of Planning.

2. DWELLING UNITS ON A PARCEL

In any one-family residential district or any district permitting a one-family dwelling no permit shall be granted for the erection of more than one dwelling unit on a single parcel.

3. SUBSTANDARD LOTS

(1) With the approval of the Development Officer the minimum site area may be less in the case of existing substandard lots.

(2) Where a Mobile Home Unit exists among one-family dwellings, such a mixture of residential use may continue.

4. TOP SOIL EXCAVATION

No person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon occupancy of the development, a minimum topsoil coverage of 6 inches and the affected area shall be landscaped to the satisfaction of the Development Officer.

5. FENCES AND WALLS

(1) No fence, wall or hedge in a single family, two family or mobile home district shall be:

(a) Higher than 6 feet in side yards and rear yards to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this By-law;

(b) Higher than 3 feet in front yards, except in the case of more than one yard fronting onto a street, each yard shall be deemed to be a front yard for the purpose of this section;

(c) Higher than 3 feet within 20 feet of the intersection of lanes, streets, or a street and lane.

(2) In the case of apartments or rowhouses all off-street parking shall include a landscaped area, and in residential areas, a wall, hedge or wooden fence of not less than 4 feet in height and not more than 7 feet in height, shall be provided along the side property lines, all to the satisfaction of the Development Officer.

(3) Commercial buildings in residential areas must be screened by a wooden fence of not less than 6 feet in height. In addition, 10% of the site area shall be landscaped, and garbage containers and outdoor storage shall be screened and accessible for convenient pickup.

(4) In the case of drive-in businesses, car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Officer. Solid fences shall be provided at least 5 feet in height and no higher than 7 feet adjacent to residential areas.

6. LANDSCAPING

(1) As a condition of the development permit, and to the satisfaction of the Development Officer, all landscaping and planting must be carried out (weather permitting) within two months of occupancy or commencement of operation of the proposed development.

(2) Off-street parking lots in any commercial district shall be landscaped by the planting of trees in a manner and number satisfactory to the Development Officer.

7. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

(1) No person shall keep or permit in any part of a yard in any residential district:

(a) Any dismantled or wrecked vehicle for more than 14 successive days;

(b) Any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district;

(c) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;

(d) A commercial vehicle loaded or unloaded of a maximum weight in excess of 9000 lbs;

(e) A commercial vehicle or recreational vehicle to remain in front yard;

(f) No accessory building, use or parking space shall be located in the front yard of a residential use without the specific approval of the Development Officer.

8. PROJECTION INTO YARDS

(1) Except as provided in this part, a person shall not allow any portion of a building or structure on a site to project into a required yard.

(2) Front Yards

The following features may project into a required front yard:

(a) steps, eaves, gutters, sills, and chimneys or other similar projections as determined by the Development Officer;

(b) canopies over entrances to buildings provided such projections are cantilevered and do not exceed 3 ft.;

(c) exterior balconies on apartment buildings provided that

(i) they are cantilevered and not enclosed as an integral part of the building;

(ii) they do not project more than 6.5 ft. into a front yard; and

(d) any other features which in the opinion of the Development Officer, are similar to the foregoing.

(3) Side Yards

The following features may project into a required side yard; except where a side yard of 8.5 ft. is required for vehicular passage:

(a) steps, chimneys and sundecks provided such projection does not exceed fifty (50) per cent of the width of the required side yard;

(b) eaves, gutters and sills or other similar projections, as determined by the Development Officer;

(c) canopies over entrances to buildings subject to the same regulations as set out in sub-section 2(b) above;

(d) exterior balconies on apartment buildings provided that:

(i) they are cantilevered and not enclosed as an integral part of the building;

(ii) they do not project more than 3 ft. into a required side yard and in no case are closer than 6.5 ft. to an interior side property line, and

(e) any other features which, in the opinion of the Development Officer, are similar to the foregoing.

9. SITE DEVELOPMENT

The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs and any reconstruction shall be to the satisfaction of the Development Officer in order that there shall be general conformity in such matters with adjacent buildings.

10. VARIANCES

(1) The Development Officer may approve an application for a permitted use or a conditional use, notwithstanding that the proposed use does not comply with the provisions of this by-law, if the non-compliance is minor and where, in the opinion of the Approving Authority, denial of the application for a development permit would cause the applicant unnecessary hardship peculiar to the use.

(2) Subject to sub-section 10(1), the Development Officer may grant the following variances for building and structures:

(a) **front yard** – not more than 1 ft.;

(b) **side yard** – not more than 6 in., provided that the combined width of both side yards is not below the aggregate of the minimum dimensions required for both yards in which case no variance shall be granted; and

(c) **rear yard** – not more than 1 ft.

(3) In the case of projections into yards, as provided for in section 8 of this by-law:

(a) **front yard** – balconies and canopies, not more than 6 in.;

(b) **side yard** – balconies and canopies not more than 6 in. provided that the combined width of both yards is not below the aggregate of the minimum dimensions required for both yards in which case no variance shall be provided; and

(c) **rear yard** – balconies and canopies, not more than 1 ft.

(4) In the case of building height:

(a) **principal building** – in all residential zones - not more than 1 ft.;

(b) **accessory building** – in all residential zones - not more than 6 in.; and

(c) **principal and accessory buildings** – in all other zones - not more than 2 ft.

(5) In the case of height of fences:

(a) **residential zones** – not more than 1 ft., and

(b) **all other zones** – not more than 2 ft.

11. PROTECTION FROM EXPOSURE HAZARDS

(1) The location of any anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 2000 gallons shall be in accordance with the requirement of the Development Officer but in no case be less than a minimum distance of 400 feet from assembly, institutional, commercial or residential buildings.

(2) AA or LPG containers with a water capacity of less than 2000 gallons shall be located in accordance with regulations under the Gas Protection Act.

(3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Fire Prevention Act.

12. SOUR GAS FACILITIES

(1) No development shall be permitted within 0.1 km of a Level 1 sour gas facility (consisting of a well) as determined by the E.R.C.B.

(2) No development shall be permitted within 0.5 km of a Level 2 sour gas facility as determined by the E.R.C.B.

(3) No development shall be permitted within 1.5 km of a Level 3 or Level 4 sour gas facility as determined by the E.R.C.B.

13. OFF-STREET LOADING

(1) Loading Facilities

When required by the Development Officer, a development shall:

(a) Provide loading spaces, each having dimensions of not less than 10 feet in width, 25 feet in length, and 14 feet in height.

(b) Provide vehicular ingress to, and egress from, a street or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting streets or lanes.

(c) Be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level.

(d) Be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross sidewalks.

(2) Number of Off-Street Loading Spaces

(a) In a retail, industrial, warehouse, or similar development of less than 5000 square feet of gross floor area, one space.

(b) Two spaces for between 5000 square feet and 25000 square feet of gross floor area, and one additional space for each additional 25000 square feet or fraction thereof.

(c) Office buildings, place of public assembly, public convalescent home, institution, club or lodge, public utility, school or for any other use one space up to 30000 square feet of gross area and each additional 30000 square feet or fraction thereof, one additional space.

(d) Neighbourhood commercial stores, one loading space.

14. OFF-STREET AUTOMOBILE PARKING

(1) Location of Site and Parking Facilities

(a) An off-street parking area or accessory off-street parking area:

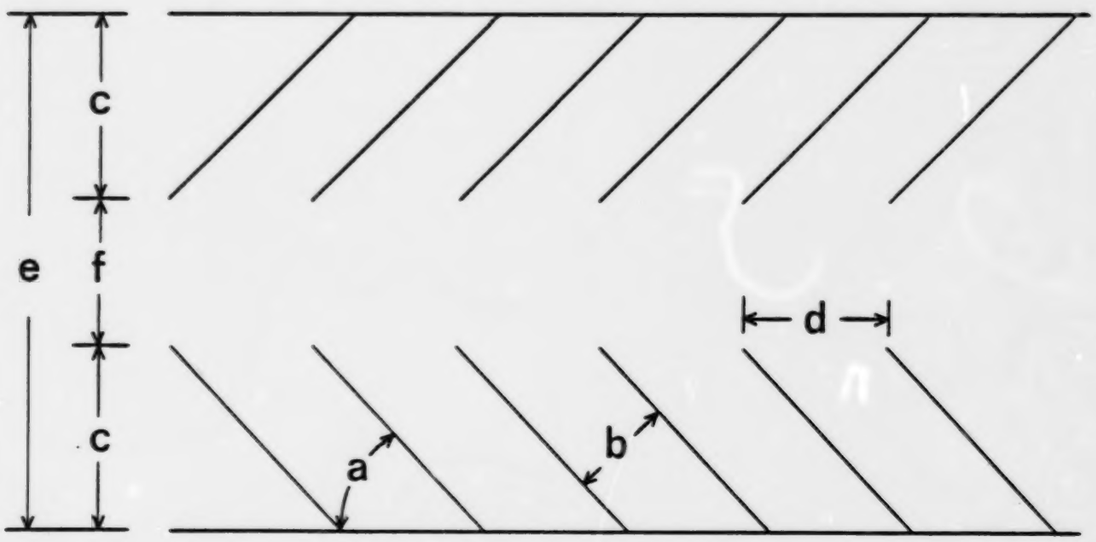
- Shall not be located within 3 feet of a lot line common to the lot and to a street.
- Shall be constructed so that adequate access to, and exit from each stall is to be provided at all times by means of manoeuvering aisles designed to the satisfaction of the Development Officer.
- Shall have necessary curb cuts located to the satisfaction of the Development Officer.

(b) All parking areas shall conform to the following requirements:

Minimum Parking Standards

a Parking Angle in Degrees	b Width of Stall in Feet	c Depth of Stall Perpendicular To Manoeuvering Aisle in Feet	e Overall Depth in Feet	f With of Manoeuvring Aisle in Feet
(1) Full Sized Cars				
0	9.0	9.0	30	One Way 12
30	9.0	17.0	46	One Way 12
45	9.0	19.0	50	One Way 12
60	9.0	20.0	60	One Way 20
90	9.0	18.0	60	One Way 24
(ii) Compact Cars				
0	7.5	7.5	26	One Way 11
30	7.5	15.0	42	One Way 12
45	7.5	17.0	46	One Way 12
60	7.5	18.0	56	One Way 18
90	7.5	16.0	55	One Way 23

(See below for definitions of column headings)



(2) Surfacing and Drainage

(a) Every off-street parking space provided, and the access thereto shall be hardsurfaced if the access is from a street or lane which is hardsurfaced; parking areas must be paved or of a gravel mixture as approved by the Development Officer.

(b) Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless permitted otherwise by the Development Officer.

(3) Required Number of Off-Street Parking Spaces

(a) The minimum number of off-street parking spaces required for each building class shall be as in the following table. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Officer. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.

(b) The Development Officer may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project. Subject to the approval of Council, the applicant may at his option pay to the municipality a payment equal to the cost of an equivalent public parking space provided elsewhere in the district.

Use of Building or Development	Minimum Number of Parking Stalls
Residential	
One and two family dwellings	1.0 per dwelling unit
Apartments and rowhousing	1.5 per dwelling unit (Where this results in a fractional requirement, the total requirement shall be the next whole number)
Commercial	
Shopping Centres	5.5 spaces per 1,000 sq. ft. of gross leasable floor space.
Retail and personal service shops, bank and offices	1 per 500 sq. ft. of gross leasable floor area 1½ stalls per residence above Commercial Developments
Restaurants, cocktail bars, taverns	1 per 5 seating spaces and one space per 3 employees
Hotels, motor hotels and motels	1 per sleeping unit and one space per 3 employees
Places Of Public Assembly	
Auditoriums, churches, halls, clubs, theatres and other amusement or recreation places	To the satisfaction of the Development Officer but not less than one space per 10 seating spaces
Schools	
Public, separate or private which either do or do not include an auditorium, gymnasium or swimming pool	1 per employee, plus 1 for every 10 students
Industrial	
Manufacturing and industrial plants, warehousing, wholesale and storage building and yards, servicing and repair establishments, research laboratories and public utility buildings	1 per 3 employees on maximum shift provided that this standard may be varied by the Development Officer.
Hospitals & Similar Uses	
Hospitals, sanitoriums, convalescent homes, etc.	1 per 1000 sq. ft. of gross floor area, or I per 4 beds and one for every 2 employees on maximum shift whichever is greater

(4) Developments shall be allowed parking spaces for compact automobiles providing that

(a) the compact automobile parking spaces account for a maximum of 15 percent of the total parking required;

(b) the compact automobile spaces are grouped together in a separate parking area designated for compact automobiles only.

(5) Combined or Shared Parking
20% of the required parking may be combined or shared parking provided that a legal agreement is provided and the parking arrangements are acceptable to the Development Officer. Any change of use requires a development permit and a new agreement. The Development Officer reserves the right to refuse an application not fully complying with parking requirements.

15. CORNER SITES

(1) On corner sites in a residential district, no fence, wall, tree, bush, structure or thing more than 3 feet in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line joining points on the street 20 feet from their intersection.

(2) On corner sites in all Districts other than Residential Districts, no fence, wall, tree, bush, structure or thing more than 3 feet in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines 15 feet from their intersection.

16. ACCESSORY BUILDINGS

(1) An accessory building shall not be used as a dwelling.

(2) The siting of an accessory building shall be in accordance with the figures shown on the following page.

(3) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Officer.

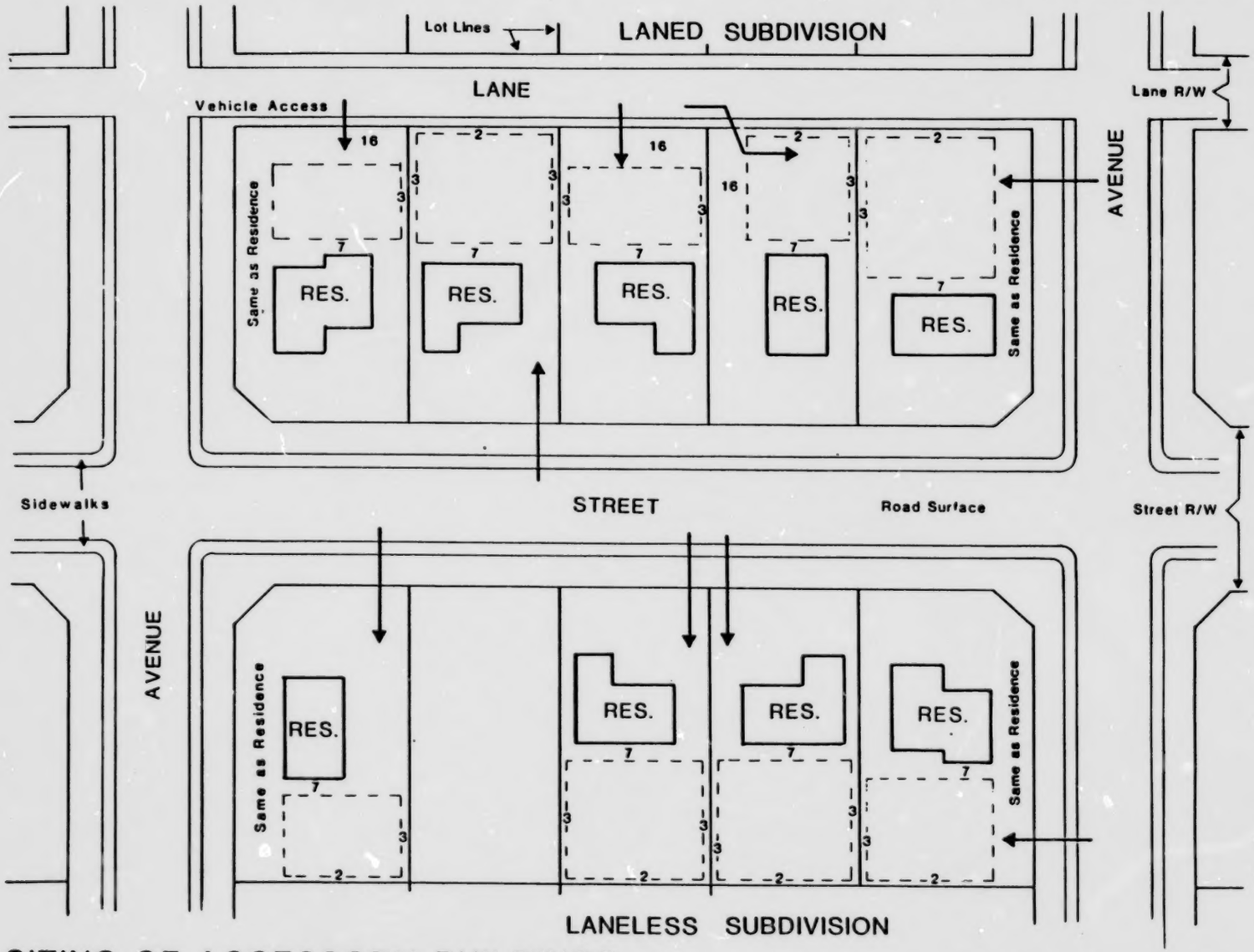
(4) An accessory building shall not be located in the front yard.

(5) An accessory building shall not be located closer than 7 feet to a main building.

(6) The height of an accessory building shall not exceed 15 feet nor one storey.

(7) Where a structure is attached to the principal building on site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building and is not an accessory building.

(8) The total area of the accessory building shall not exceed 12 percent of the site area.



SITING OF ACCESSORY BUILDINGS

FIGURES INDICATE DISTANCE IN FEET

SPECIAL PROVISIONS

1. HOME OCCUPATIONS AND PROFESSIONAL OFFICES

All development permits issued for home occupations and professional offices shall be revoc able at any time by the Development Officer, if in his opinion, the use is or has become detrimental to the amenities of the neighbourhood.

2. INDUSTRIAL DEVELOPMENT

(1) An application for the establishment of industries shall be considered by the Development Officer who may request advisory comment by the following authorities whose interest or jurisdiction may be affected:

Provincial Director of Planning
Alberta Small Business and Tourism
Alberta Transportation
Alberta Agriculture
Alberta Environment
Alberta Energy and Natural Resources
Vermilion/Minburn Health Unit

The Development Officer shall request that such comments be made in writing.

(2) Each application for industrial location shall be accompanied by the following information:

Location
Type of industry
Size of buildings
Number of employees
Estimated water demand and anticipated source
Type of effluent and method of treatment
Transportation routes to be used (rail and road)
Reason for specific location
Any accessory works required (pipeline, railway spurs, etc.)
Anticipated residence location of employees

and/or any such other information as may be reasonable required by the Development Officer.

(3) All site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Officer, in accordance with the district in which the site is located.

3. SERVICE STATIONS (INCLUDING GAS BARS)

(1) Service, or gas stations shall be located in such a manner that:

(a) No entrance or exit thereto for motor vehicles within 200 feet of an entrance to or exit from a firehall, public or private school, playground, library, church, hospital, children's or old people's home or other similar public or quasi-public institutions.

(b) No part of a service station or gas station building or of any pump or other accessory shall be within 20 feet of a side or rear property line.

(c) Service stations shall have a front yard of not less than 40 feet and no gasoline pump shall be located closer than 20 feet to the front property line.

(d) Underground storage tanks shall be set back from adjacent buildings in accordance with Alberta Regulation 357/71 passed pursuant to the Fire Prevention Act.

(2) Site Area and Coverage

(a) The minimum site area shall be 7,200 square feet and the maximum building coverage shall be 25% of the site area. For service stations including car wash the minimum site area shall be 10,800 square feet.

(b) In the case of a service station designed and built as part of a shopping centre the ratio of building space to parking space shall be as determined by the Development Officer.

(3) Lighting

Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.

(4) Use and Maintenance of Service Station Site and Building

The owner, tenant, operator or person in charge of a Service Station shall at all times:

(a) be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour smoke or vibration.

(b) be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or being repaired or serviced thereat, and without restricting the generality of the foregoing shall see:

(i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station, and

(ii) that operators of motor vehicles enter and leave the service station only at the entrances and exists provided for such purposes and not elsewhere.

(c) maintain on the boundaries of the site, where required by the Development Officer an appropriate fence not less than 5 feet in height.

4. CAR WASHING ESTABLISHMENTS

(1) Site Location

In addition to those locations permitted in this Schedule, a car washing establishment may be allowed as a discretionary use as part of a shopping centre if the Development Officer is satisfied that it will not adversely effect an adjoining land use or the function of the shopping centre in relation to traffic circulation.

(2) Site Area

The minimum site area shall be 6,000 square feet and shall contain storage space for 10 vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes; minimum site area shall be 12,000 square feet.

(3) Site and Building Requirements

All site and building requirements as pertain to drive-in business shall also apply to car washing establishments.

5. DRIVE-IN BUSINESSES

(1) Access

Provision of points of access and egress shall be located to the satisfaction of the Development Officer.

(2) Site Area and Coverage

The minimum site area shall be 6,000 square feet. The minimum building area shall be 400 square feet. There shall be a provision for at least 8 customer cars on the site.

(3) Site and Building Requirements

(a) All parts of the site to which vehicles may have access shall be hardsurfaced and drained to the satisfaction of the Development Officer.

(b) The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.

(c) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Officer.

(d) The owner/operator of a drive-in shall be responsible for the safe and orderly operation of motor vehicles using the site.

6. MOTELS

(1) A person applying to develop a site as a motel where permitted under this By-law, shall comply with the following provisions:

(a) Interpretation

For the purposes of this subsection, a rentable unit means a separate unit on a motel site used or intended to be used for the dwelling accommodation of one or more persons.

(b) Site Requirements for Motels

Minimum Site Area/Unit	Yards	Parking On Site	Minimum Floor Area/Unit
— One Storey 1500 sq. ft.	Front 25' Side 10' Rear 10'	One per Sleeping Unit	285 sq. ft.
— Two Storey 1000 sq. ft.	Front 25' Side 10' Rear 10'	One per Sleeping Unit	285 sq. ft.

(c) Space Between Buildings

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 12 feet of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.

(d) Driveways

Each rentable unit shall face on to or abut a driveway not less than 20 feet in width and shall have unobstructed access thereto.

(e) Entrances and Exits

Not more than one motor vehicle entrance and one motor vehicle exit to a street, each of a minimum width of 25 feet measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 30 feet in width.

(f) Maintenance of Site and Buildings and Business

The owner, tenant, operator or person in charge of a motel shall at all times:

(i) maintain the site and the buildings, structures and improvements thereon in a clean, neat tidy and attractive condition and free from all rubbish and debris.

(ii) maintain garbage and/or incineration facilities to the satisfaction of the Development Officer.

(iii) maintain an appropriate fence where required, not less than 5 feet in height around the boundaries of the site and shall landscape and keep the site landscaped.

7. CHURCHES

(1) The site on which a church is situated shall have a frontage of not less than 100 feet and an area of not less than 10,000 square feet except in the case where a building for a clergyman's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 15,000 square feet.

(2) Front, side and rear yards shall be those permitted within the district in which the church site is located.

8. MULTIPLE DWELLING DEVELOPMENTS

(1) The following application procedure applies to apartments, row housing, and duplex development.

(a) Before any application can be considered the applicant must submit:

(i) Design plans and working drawings including elevations which have been done or endorsed by a registered architect.

(ii) Site Plans showing the proposed

- location and position of structures on the site, including any "For Rent" or identification signs
- location and number of parking spaces, exits, entries and drives from public thoroughfares
- location of an access to garbage storage areas and incinerators and the fencing and landscaping of these facilities
- landscape plan of the entire site which shall also show intended surfacing for drives and parking areas

(b) The aforementioned plans will append the application and once approved shall be deemed conditions of approval. The Development Officer may require a performance bond from the Developer if deemed necessary.

(2) In the case of all buildings and relationship of the buildings to each other and the total relationship to the land on which they are constructed, in particular respect to such matters as architectural appearance, the provision of adequate light, air, privacy and landscaping shall be fully shown upon the site plans of the whole development, and all the foregoing shall be to the satisfaction of the Development Officer.

9. MOBILE HOMES

(1) Mobile homes shall have Canadian Standard Association Certification.

(2) All accessory structures, such as patios, porches, additions and skirtings, shall be

(a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the mobile homes, and

(b) considered as part of the main building, and

(c) erected only after obtaining a Development Permit

(3) A mobile home unit shall be skirted from the floor level to the ground level and shall match the existing external finish of the mobile home.

(4) The floor area of porches and additions shall be proportionate to the floor area of the mobile home unit and this relationship shall be determined by the Development Officer.

(5) No accessory building, use or parking space shall be located in the front yard of a mobile home use.

(6) For the purposes of storage, any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally which shall conform to the local building, Fire, Electrical and Plumbing standards.

(7) The following regulations also apply to mobile home uses located in residential subdivisions and mobile home subdivisions:

(a) The hitch and wheels are to be removed from the mobile home.

(b) All mobile homes shall be placed on a foundation or base. The mobile home is to be attached by means of bolting or otherwise to the foundation or base.

(c) The property is to be grassed and landscaped within one year from the date of issue of the development permit.

(d) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Officer.

(8) The following regulations also apply to mobile home parks:

(a) In a mobile home park, the stalls shall be located at least 10 feet from a boundary of a street and at least 10 feet from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Officer.

(b) All roads in a mobile home park shall be constructed and maintained to the satisfaction of the Development Officer. Minimum right of way width shall be 30 feet.

(c) All parks shall be provided with safe, convenient, all season pedestrian access of at least 3 feet in width for intended use between individual Mobile Homes, the park street and all community facilities provided for park residents.

(d) Visitor parking space shall be provided at a ratio of at least one space for every two mobile home units and shall be located at convenient locations throughout the mobile home park, and shall not be used for the storage of boats, trailers, etc.

(e) The design of mobile home parks shall be to the satisfaction of the Development Officer.

(f) All municipal utilities shall be provided underground to stalls in a mobile home park.

(g) In a mobile home park, 5% of the gross site area shall be devoted to recreational use **or**

recreational space shall be provided at the ratio of at least 100 square feet per Mobile Home space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined.

(h) All areas of a Mobile Home Park not occupied by Mobile Homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Officer. Screen fences or walls shall be erected where deemed necessary by the Development Officer around laundry yards, refuse collection points and playgrounds.

(i) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.

(j) Mobile Home Park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of Mobile Home Stands.

(k) Each Mobile Home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

(l) Street lighting in a Mobile Home Park shall be to the same standard as that in a conventional residential neighbourhood.

(m) (i) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a mobile home park unless the Development Officer is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Officer.

(ii) Directional signs within the mobile home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

(n) Mobile Homes shall be separated from each other by at least 20 feet side-to-side and 10 feet from either front or rear stall line provided further than any porch or addition to the Mobile Home is regarded as part of the Mobile Home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 10 feet.

(o) Mobile home parks shall comply with Central Mortgage and Housing Corporation standards.

(p) The minimum site area shall be 5.0 acres.

(q) The maximum permissible density for a Mobile Home Park shall be 8 Mobile Home spaces per gross developable acre of the area actually being developed at each stage of the development.

(r) The minimum size for a Mobile Home stall shall be 4000 square feet.

10. Airport Vicinity Protection Area Regulations

The Vermilion Airport Vicinity Protection Area Regulations are a part of this by-law and are attached as Schedule D. These regulations apply, in addition to the districts of this by-law, to the area outlined on the Land Use District Map.

DISTRICT SCHEDULES
RESIDENTIAL DISTRICT R1

The General Purpose of this District is to permit development of low density single family dwellings, and associated uses at the discretion of the Development Officer.

1. Permitted Uses

(a) One family dwellings
(b) Accessory buildings and uses

2. Discretionary Uses

(a) Small parks and playgrounds which serve specific residential developments
(b) Churches
(c) A public or quasi-public building or a public utility which is required to serve in the immediate area
(d) Home occupations
(e) Day care facility
(f) Other uses which in the opinion of the DO are similar to the above mentioned uses.

3. Regulations

(a) Relating to One Family Dwelling

Minimum site area	– 5500 sq. ft.
Front yard setback	– 20 ft. minimum
Rear yard setback	– 25 ft. minimum
Side yard setback	– not less than 5 ft. – Corner lot - 10 ft. for side yard abutting flanking street
Minimum floor area	– 1000 sq. ft. for 1 storey – 1200 sq. ft. for 1½ storey or split level – 1400 sq. ft. for 2 storey or bilevel

(b) Maximum Lot Coverage

Dwellings 23%
Accessory 12%

(c) When the lot size exceeds 9,000 sq. ft. the minimum floor area shall be 1500 sq. ft.

(d) Other uses as required by the DO.

RESIDENTIAL DISTRICT R-2

The General Purpose of this district is to permit development of primarily smaller single family dwellings.

1. Permitted Uses

(a) One family dwellings
(b) Accessory buildings and uses

2. Discretionary Uses

(a) Small parks and playgrounds which serve specific residential developments
(b) Churches
(c) A public or quasi-public building or a public utility which is required to serve in the immediate area
(d) Home occupations and professional offices
(e) Modular units
(f) Family care facility
(g) Group care facility
(h) Day care facility
(i) Other uses which in the opinion of the DO are similar to the above mentioned uses

3. Regulations

(a) Relating to One Family Dwellings

Minimum site area	– 5000 sq. ft.
Front yard setback	– 20 ft. minimum
Rear yard setback	– 25 ft. minimum
Side yard setback	– not less than 5 ft. – Corner lot - 10 ft. for side yard abutting flanking street.
Minimum floor area	– 800 sq. ft. for 1 storey – 1000 sq. ft.for 1½ storey – 1200 sq. ft. for 2 storey

RESIDENTIAL DISTRICT - R3

The General Purpose of this district is to provide guidelines for residential development in areas with special slopes and visual characteristics.

1. Permitted Uses

(a) One family dwellings
(b) Accessory buildings and uses

2. Discretionary Uses

(a) Small parks and playground which serve specific residential developments.
(b) Day care facility, kindergartens, nursery schools and play schools.
(c) A public or quasi-public building or a public utility which is required to serve in the immediate area.

3. Regulations

(a) Relating to single family dwellings

Minimum site area

Front yard setback
- at the discretion of the Development Officer and according to a consistent pattern to protect the characteristic of the subdivision.

Side yard setback
- 20% of site width, to a maximum of 15 ft.
- for side flanking a lane, 15% of width to a maximum of 10 ft.
- for side flanking a utility lot of less than 20 ft. in width throughout, 20% of site measured from the centre line of the registered utility lot to the side of the building, to a maximum of 15 ft.

Rear yard setback
- minimum 25 ft., except:

i) in the case of a corner site, the yard next to a lane at the rear of the site need not exceed 15 ft.

ii) in the case of sites with no lane access and bordering ravines or the river bank, a minimum of 25 ft. For this purpose the front yard is defined as the yard fronting a street. Accessory buildings or structures exceeding 6 ft. in height in such minimum rear yards shall require the prior approval of the Development Officer.

Minimum floor area

i) In the case of one-storey dwellings, the minimum ground floor area of the building, exclusive of any attached garage, shall be not less than 1,400 square feet.

ii) In the case of 1½ storey dwellings, the minimum ground floor area of the building, exclusive of any attached garage, shall be not less than 1,100 square feet, and the combined ground and second floor area shall be not less than 1,400 square feet.

iii) In the case of 2 storey dwellings, the minimum ground floor area of the building exclusive of any garage which may be attached, shall be not less than 1,000 square feet and the combined ground and second floor area shall not be less than 1,400 square feet.

iv) In the case of split-level dwellings, the main floor or combination of floors as determined by the Development Officer, shall be not less than 1,100 square feet, exclusive of any garage which may be attached.

Height of Buildings

The maximum height of buildings shall not exceed 35 feet nor 2½ stores on Block 19, Lots 1 to 4 (one storey) and Block 19, Lots 5 to 11 (one or two storey) with maximum to 35 feet, all of Plan 782-3515.

Trees and Shrubs

Maximum tree or shrub height when mature shall not exceed 10 feet on the buffer strip adjacent or parallel to Highway 41.

(b) Other uses - at the discretion of the Development Officer.

RESIDENTIAL DISTRICT - R4

The General Purpose of this district is to permit development of a variety of low to medium density dwellings and accessory uses.

1. Permitted Uses

(a) Duplexes
(b) Row housing
(c) Apartments
(d) Accessory buildings and uses

2. Discretionary Uses

(a) Churches
(b) Small parks and playgrounds which are an accessory to and an amenity to a specific R-4 development.
(c) A public or quasi-public building or a public utility which is required to serve in the immediate area
(d) Home occupations and professional offices
(e) Modular units
(f) Family care facility
(g) Group care facility
(h) Boarding and lodging houses
(i) Day care facility
(j) Other uses which in the opinion of the DO are similar to the above mentioned uses

3. Regulations

(a) Relating to Duplexes

- "Up and down" units require a minimum site area of 6200 sq. ft. provided the combined floor space areas do not exceed 2000 sq. ft.
- Semi-detached or "side by side" units require a minimum site area of 7200 sq. ft.

Front yard setback	– 20 ft. minimum
Rear yard setback	– 25 ft. minimum
Side yard setback	– not less than 5 ft. – Corner sites - 10 ft. for a side yard abutting a flanking street.

(c) Relating to Row housing

Maximum density will be figured on the basis of 16 dwelling units per site acre.

Minimum Site Requirements

Area	2,000 sq. ft. for each internal dwelling units 2,500 sq. ft. for each end dwelling units 3,000 sq. ft. for each end dwelling units with a side yard abutting a street.
Width	20 ft. for each internal dwelling units 25 ft. for each end dwelling units 30 ft. for each end dwelling unit with a side yard abutting a street.

iii) Height of Buildings

Row houses	– 30 ft. or 2 storeys
Accessory	– 15 ft.
Others	– as approved by the Development Officer.

iv) Maximum Lot Coverage

Row houses	– 35%
Accessory	– 12%

v) Outdoor Living Space

Each unit shall have an outdoor living area with a depth of 25 ft. a minimum of 15 ft. of this space must be designed for the exclusive use of the occupants of the unit. This may be achieved by the provision of fences, screens or landscaping at the discretion of the Development Officer.

vi) Arrangements and Spacing of Units

i) The principle entry for every dwelling unit must be separate and be directly accessible to ground level.

ii) The arrangement and spacing of dwellings is subject to the approval of the Development Officer.

iii) Principle living room windows that face each other, shall have a separation distance of 20 ft.

iv) Habitable room windows shall have a separation space of 15 ft. This can be reduced to 10 ft. where it directly faces a blank wall.

vii) Yard Requirements

– as for duplexes

(d) Relating to Apartments

Type of Suite	Minimum Suite Floor Area	Area of Site Required Per Suite
Bed-sitting Room	350 sq. ft.	800 sq. ft.
One Bedroom	500 sq. ft.	1,050 sq. ft.
Two or more Bedrooms	600/700 sq. ft.	1,450 sq. ft.

– The height of a building shall not exceed three storeys nor 35 ft.

– The minimum site area for each apartment building block shall be 8,600 sq. ft.

– The maximum area of land which may be built upon shall be 30 per cent of the site area. Building floor area ratio - 0.60.

– The minimum front and rear yards shall be 30 feet. Side yards shall be 40 percent of the building height or 15 percent of the site width, whichever is greater.

– Minimum of 10% of site area for apartments shall be landscaped.

– A landscaped amenity area shall be made available to the occupants of the dwelling for their personal enjoyment and recreation. The required amenity area shall be calculated according to the following schedule:

Bachelor and one bedroom units	– 200 sq. ft.
Two bedroom	– 300 sq. ft.
Three or more bedrooms	– 600 sq. ft.

– Car parking areas shall not be considered as part of or contributing to any amenity area.

(e) All other uses as required by the Development Officer.

SPECIAL BONUS CONSIDERATIONS

The DO may consider special applications that do not comply exactly with the requirements of the By-law if:

(i) additional facilities are provided that would improve the amenities of the area.

(ii) the development conforms with the use prescribed for that land or building.

The bonus features to be considered may include but are not limited to the following:

underground parking
extra recreation space
recreation equipment
facilities for handicapped people
improved landscaping

RESIDENTIAL MOBILE HOME SUBDIVISION DISTRICT - RMH 1

The General Purpose of this district is to permit development of mobile home subdivisions, in which each unit is located on a separately registered parcel.

1. Permitted Uses

(a) One-family mobile homes
(b) Public parks
(c) Accessory Buildings and uses

2. Discretionary Uses

(a) Modular homes
(b) Public and quasi-public buildings and uses
(c) Public utilities buildings and installations

3. Regulations

(a) Height of Buildings

Mobile Home Units - maximum 15 feet
Accessory - maximum 15 feet
Others - as approved by the DO

(b) Minimum Floor Area

Mobile Home Units - 500 sq. ft. excluding attached porches
Others - as approved by the DO

(c) Minimum Lot Area

One-family mobile home unit - area 4400 square feet
Others - as approved by the DO

(d) Minimum yard dimensions

Front - 15 feet or as approved by the DO
Side - 5 feet
Rear - 15 feet or as approved by the DO

(e) Maximum Lot coverage

Mobile Home Unit – 23 percent of lot
Accessory – 12 percent of lot
Others – as approved by the DO

RESIDENTIAL MOBILE HOME PARK DISTRICT RMH-2

The General Purpose of this district is to permit and regulate mobile home parks wherein stalls are provided on a rental basis.

1. Permitted Uses

(a) Mobile home parks
(b) Public parks
(c) Accessory buildings and uses

2. Discretionary Uses

(a) One-family mobile homes
(b) Public and quasi-public buildings and uses
(c) Public utilities buildings and installations

3. Regulations

(a) Height of Buildings

Mobile homes	– maximum 15 feet
Others	– as approved by the DO
Accessory	– maximum 15 feet

(b) Maximum Density of Mobile Home Park

8 mobile home units per acre

(c) Minimum Mobile Home Lot and Park Area

Single wide mobile home units - 4000 sq. ft.
Double wide mobile home units - 5000 sq. ft.
Mobile home park - 5 acres

(d) Minimum Yard Dimensions

Front	– 20 ft. or as approved by the DO
Side	– 5 ft. or as approved by the DO
Rear	– 5 ft. or as approved by the DO

(e) Maximum Lot Coverage

Mobile Home Unit	– 23 percent of lot
Accessory	– 12 percent of lot
Others	– as approved by the DO

(f) A mobile home park must provide for a common recreation area or areas, containing at least 10% of the total mobile home park area.

COMMERCIAL DISTRICT - C1

The General Purpose of this district is to permit commercial development appropriate for the Central Business District of the municipality and involving fairly high density development. The regulations do not permit obnoxious uses or those involving excessive outside storage.

1. Permitted Uses

(a) Bank
(b) Barber shops, beauty parlours
(c) Coin Laundries
(d) Grocery Store
(e) Household Appliance Sales
(f) Offices
(g) Retail Store
(h) Restaurant
(i) Shoe Repair Shop
(j) Tailor Shop

(k) If the floor space area used is not greater than 4000 sq. ft. the manufacture or treatment of products essential to the retail business conducted on the premises, for example –
a bakery
a dyeing or cleaning plant or establishment
the manufacture of candy, confectionary, ice cream, jam.

2. Discretionary Uses

(a) Auto Sales
(b) Bowling Alley
(c) Clinic
(d) Club or Lodge
(e) Dance Hall
(f) Theatre
(g) Hotel
(h) Parking Lots
(i) Service or Gas Station
(j) Shopping Centre

(k) Public and quasi-public buildings and uses.

(l) An accessory building or use incidental to any of the aforementioned uses. Accessory use in this connection shall be deemed to include dwelling accommodation in a building used for any of the aforementioned uses.

(m) Dwelling units above first floor with direct access to the outside

(n) Day care facility

(o) Other uses which in the opinion of the DO are similar to the above mentioned uses.

3. Regulations

(a) Minimum Site Area:
Area – 1800 sq. ft. per lot
Width – 15 feet per lot

Where shopping centres or groups of shops are to be built on the site, requirements shall be determined by the DO who shall deal with the overall scheme, taking into account buildings, access, parking and specific commercial uses

(b) Minimum Yard Requirements
Front – No front yard setback is required except where the DO may deem it necessary to conform with existing development.
Side – If the subject lot is bounded on both sides by land classified C1, no side yard requirement is necessary except where a side yard is provided, it shall be not less than 5 feet. If the subject lot is bordered by a residential district, the side yard shall be not less than 5 feet.
Rear – 20 ft. or as required by the DO.

(c) Minimum site coverage - 40%.

(d) Maximum site coverage – 80% provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the DO.

(e) Special bonus considerations

The DO may consider special applications that do not comply exactly with the requirements of the By-law if:

(i) additional facilities are provided that would improve the amenities of the area.

(ii) the development conforms with the use prescribed for that land or building.

COMMERCIAL DISTRICT - C2

The General Purpose of this District is to permit commercial development of a secondary nature, involving workshop type uses, and at the discretion of the Development Officer, more land extensive uses.

1. Permitted Uses

(a) A workshop used by any of the following:

Cabinet Maker
Carpenter
Decorator
Electrician
Gas Fitter
Laundry
Metal Worker
Painter
Plumber
Printing Shop
Pipe Fitter
Tinsmith
Upholsterer

2. Discretionary Uses

(a) Motel
(b) Funeral Parlor
(c) Service or Gas Station
(d) Automobile Garage
(e) Wholesale Warehouse
(f) Frozen-Food Locker
(g) Veterinary Clinic
(h) The storage and/or sale of:
Automobiles
Building Supplies
Farm Machinery
Lumber
Bulk Oil
(i) Public and quasi-public buildings and uses
(j) Other uses which in the opinion of the DO are similar to the above-mentioned uses

3. Regulations

(a) Minimum site area – 1800 sq. ft.
Lot width – 15 feet

(b) Minimum Yard Requirements

Front – No front yard setback is required except where the Development Officer may deem it necessary to conform with existing development.

Side – If the subject lot is bounded on both sides by land classified C1 or C2, no side yard requirement is necessary except where a side yard is provided, it shall be not less than 5 ft. If the subject lot is bordered by a residential district, the side yard shall be not less than 5 ft.

Rear – 20 ft. or as required by the DO.

(c) No use to be established that is or will become obnoxious by way of noise, odor, dust or fumes

(d) Minimum Site Coverage – 30%.

(e) Maximum Site Coverage – 80% provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the DO.

HIGHWAY COMMERCIAL DISTRICT - C3

The General Purpose of this district is to permit commercial uses which will serve the travelling public.

1. Permitted Uses

(a) Motels
(b) Motor Hotels
(c) Accessory buildings and uses

2. Discretionary Uses

(a) Campgrounds
(b) Car washes
(c) Drive-in restaurants
(d) Service Stations and ancillary bulk oil and gas storage and sale
(e) Restaurants in conjunction with service stations
(f) Public and quasi-public buildings and uses
(g) Public utility buildings and installations
(h) Curio shops, produce and handicraft
(i) The storage and/or sale of automobiles

3. Regulations

(a) Height of Buildings

Main and Accessory – maximum 45 feet unless otherwise approved by the DO

(b) Minimum Lot Size

Area – 3,600 sq. ft.
Width – 30 ft.

(c) Minimum Yard Dimensions

Front – 20 ft. or as required by the DO
Side – 5 ft. or as required by the DO
Rear – 20 ft. or as required by the DO

(d) Maximum Lot Coverage

All buildings – 35 percent of site area

(e) Minimum Lot Coverage – 15 percent of site area

(f) Access

Access to all developments within this District shall be by service road or by similar standard for controlling turning traffic, such as a one-way system, to the satisfaction of the DO. The number of accesses provided to the highway from a development or service road shall be to the satisfaction of the DO and of the District Highway Engineer if necessary.

SHOPPING CENTRE DISTRICT - C4

The general purpose of this district is to regulate the development of shopping centre containing a broad mix of retail, service, and office uses serving the community and district.

1. Permitted Uses

(a) Retail Stores
(b) Personal service s such as barbers, hairdressers, drycleaners, and so forth.
(c) Banks, real estate, insurance, and other administrative or financial offices.
(d) Medical and dental clinics.
(e) Eating and drinking establishments.
(f) Entertainment and recreation establishments.
(g) Photographic, dance or music studios.

2. Discretionary Uses

(a) Service stations and gas bars
(b) Car wash
(c) Veterinary clinics for domestic animals only
(d) Public and quais-public uses.
(e) Other similar uses at the discretion of the Development Officer.

3. Regulations

(a) Site Area – minimum 1 acre
– maximum 5 acres

(b) Maximum Site Coverage 50%
Minimum Site Coverage 10%

(c) Parking - 5.5 spaces/1,000 sq. ft. of gross leaseable floor area.

(d) Off Street Loading:

– must be provided for at the discretion of the Development Officer.

(e) Yard Dimensions

– a 10 foot landscaped setback must be provided around the perimeter of the site.

(f) Storage

Outdoor storage areas must be screened to the satisfaction of the Development Officer.

(g) Drainage

All roof and surface drainage shall be contained on-site and directed to a storm sewer.

(h) Lighting

All on-site lighting shall be located, oriented and shielded so as to prevent the direct illumination of neighbouring residential properties.

(i) Location

Future shopping centres will have access only on designated urban arterials.

NEIGHBOURHOOD COMMERCIAL DISTRICT - C5

The general purpose of this district is to designate areas for small neighbourhood stores providing convenience goods and services to local residents.

1. PERMITTED USES

(a) Confectionary
(b) Convenience grocery stores
(c) Accessory buildings

2. DISCRETIONARY USES

(a) Uses similar to the above, at the discretion of the Development Officer.

3. REGULATIONS

(a) Maximum Site Area

0.5 acres

(b) Maximum Floor Area

3,000 sq. ft.

(c) Minimum Yard Dimensions

Front – 30 ft.
Side – 10 ft.

(d) All loading and parking areas must be screened from the view of adjacent residences, to the satisfaction of the Development Officer.

INDUSTRIAL DISTRICT - M

The General Purpose of this district is to provide opportunities for light industrial and manufacturing uses, with heavier industry permitted in approved locations at the discretion of the Development Officer. Uses and operations within this District shall not cause or permit any external objectionable or dangerous conditions apparent beyond any building housing processes wherein such effects may be produced, including but not limiting the generalities thereof, the following objectionable features, namely: noise, vibration, smoke, dust, and other kinds of particulate matter, odor, toxic and noxious matter, radiation hazards, fire and explosive hazards, humidity and glare.

1. Permitted Uses

(a) Warehousing; storage, distribution of raw materials, processed or manufactured goods; servicing establishments, workshops

(b) Light manufacturing and fabrication which are not objectionable.

2. Discretionary Uses

(a) Such recreational and municipal uses that are not restrictive and are compatible with an industrial area.

(b) On approved sites, those industrial uses that are obnoxious by reason of the emission of odours, dust, smoke, gas, noise or vibration.

3. Regulations

(a) Minimum site area shall be as approved by the Development Officer.
(b) Minimum front yard setback shall be 30 ft.
(c) Minimum side yard shall be as approved by the Development Officer.
(d) Minimum rear yard shall be 30 ft. or as required by the Development Officer.
(e) Maximum site coverage shall be 60%.
(f) Maximum height shall be 150 ft.

COMMUNITY DISTRICT - P

The General Purpose of this district is to permit the use of land for service, mainly of a public nature which have a primary orientation toward the community. Land designated "P" must be owned by the municipality or other government, or will so be owned within six months of being so designated.

1. Permitted Uses

(a) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses

2. Discretionary Uses

(a) Federal, provincial and municipal buildings and uses
(b) Cemeteries
(c) Public utility installations and uses

3. Regulations

(a) All site requirements shall be as approved by the DO

INSTITUTIONAL DISTRICT - I

The General Purpose of this district is to permit development of uses of either a public or private nature which provide services to the community.

1. Permitted Uses

(a) Churches
(b) Community Halls
(c) Hospitals & Nursing Homes
(d) Schools
(e) Senior Citizens Homes and similar buildings
(f) Accessory buildings and uses

2. Discretionary Uses

(a) Cemeteries
(b) Recreational uses
(c) Private Clubs and Lodges
(d) Public and quasi-public buildings
(e) Day care facility
(f) Other uses which in the opinion of the DO are similar to the above mentioned uses

3. Regulations

(a) All site requirements shall be as approved by the DO

URBAN RESERVE DISTRICT - UR

The General Purpose of this district is to reserve those lands on the periphery of the town which by their relationship to existing land uses, to the main road system, and to the established utility systems, will in time become suitable for general urban uses.

1. Permitted Uses

(a) One-family dwellings - on existing parcels only
(b) Farming and cultivation of land but not including such agricultural uses as feed lots, hog barns, poultry farms and fur farms.

2. Discretionary Uses

(a) Any strictly temporary use or building which in the opinion of the DO will not prejudice the possibility of conveniently and economically replotting or developing the area in the future
(b) Public utility installations
(c) Public and quasi-public buildings and uses

3. Regulations

(a) No development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish a plan showing the subdivision design, the proposed land use classification, public reserve dedications and utilities policies.

(b) Relating to One-family Dwellings:

Minimum yard dimensions shall be as required by the DO

DIRECT CONTROL DISTRICT - DC

The purpose of this district is to make available a district where the potential for various uses has required that flexibility be used in deciding the appropriate land use. In addition, this district would permit the application of conditions unavailable under existing districts and beyond the limits of the discretionary powers of the Development Officer. This district is not intended to be used in substitution of any standard land use district which could be used to regulate development and achieve the same result.

1. USES AND RULES

All land use applications will be evaluated on their merits by the Town Council who will establish the appropriate development standards.

SCHEDULE C
SIGN REGULATIONS

1. DEFINITIONS

For the purpose of this Bylaw certain terms or words herein shall be interpreted or defined as follows:

(1) "Sign" means any word, letter, model, picture, symbol, devise or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, notices, panels, boardings and banners.

(2) "Area of a sign" means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. frames and structural members not bearing advertising matter shall not be included in computation of surface area.

(3) "Billboard" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.

(4) "Business frontage" means

(a) any side of a separate property or building which abuts a public street or avenue, or,

(b) in the case of individual business or tenants within a building, any business which has separate access to a public street.

(5) "Fascia sign" means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building.

(6) "Free-standing sign" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure.

(7) "Free-standing portable sign" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually.

(8) "Marquee or canopy" means a projection outward from the face of a building, primarily designed to proved protection from climatic elements.

(9) "Marquee or canopy sign" means a sign attached to a marquee or canopy.

(10) "Merchandising aids" means devices used for the display of merchandise and related advertising material.

(11) "Point-of-sale advertising" means advertising which relates to the name of the occupier or firm, the nature of the business conducted and)or the goods produced, and)or the main products and services solid or obtainable at the premises on which the advertising is displayed.

(12) "Projecting sign" means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure.

(13) "Roof" means the top enclosure, above or within the vertical walls of a building.

(14) "Roof sign" means any sign placed on or over a roof.

(15) "Sky sign" means a roof sign comprising individual letters or symbols on an open framework.

2. EXEMPTION FROM SIGN REGULATIONS

(1) The following shall be exempted from the provisions of these sign regulations:

(a) signs displayed on enclosed land where they are not readily visible to the public;
(b) signs displayed within a building;
(c) signs displayed in or on an operational vehicle;
(d) signs displayed on door plates, door boards, or kick plates.

(2) The following specified signs are also exempted from these sign regulations and may be erected without further application being made to the Development Officer, provided that the permission hereby granted in respect of any such signs specified below shall be subject to any conditions or limitations specified in the case of the particular signs, and be subject to all other orders, bylaws and regulations affecting such signs:

(a) statutory and official notices and functional advertisements of local authorities and public transport authorities;
(b) traffic and directional signs authorized by Council;
(c) notices of identification in respect of the land or buildings on which they are displayed, and professional business and trade name plates relating to the occupants of the land or buildings on which they are displayed, provided that;
    (i) each notice or name plate shall not exceed two square feet in area.
    (ii) There shall be a limit of one notice for each occupant of each firm or company represented within the building, at one entrance on each different street;
(d) notices relating to the sale, lease or rental of the buildings, or land to which they are attached, provided that:
    (i) the notices shall not be illuminated,
    (ii) each notice shall not exceed 5 sq. ft. in area.
    (iii) there shall be a limit of one notice for each side of the land or buildings on a different street;
(e) posters relating specifically to a pending election, provided that such posters shall be removed within fourteen days after the election;
(f) notices of land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, provided that:
    (i) each notice shall not exceed 12 sq. ft. in area
    (ii) there shall be a limit of one notice for each side of the land or buildings on a different street;
(g) signs of building contractors relating to constructional work in progress on the land on which such signs are erected, provided that:
    (i) such signs shall be removed within fourteen days of occupancy,
    (ii) such signs shall be limited in size to a maximum of 32 sq. ft., and in number of one sign for each boundary of the property under construction which fronts onto a public street;
(h) temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
    (i) the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard or other light materials or painted on glass and intended to be displayed for a short period of time only,
    (ii) such signs shall not be erected more than seven days before the commencement of the sale to which they refer, and shall be removed within eight days of the completion of the said sale;
(i) free-standing portable signs are exempted, provided that:
    (i) any sign shall be placed wholly within the property lines,
    (ii) the overall height shall not be greater than 5 ft. above ground level,
    (iii) the maximum area of the sign shall not exceed 12 sq. ft.
(j) signs on merchandising aids are exempted, provided that:
    (i) any device shall be placed wholly within the property lines,
    (ii) the overall height of any sign shall not be greater than 6 feet above ground level, the maximum area of any sign shall not exceed 12 square feet.

3. DETAILS OF APPLICATION

(1) Application for a Development Permit shall be made to the Development Officer. The application shall be:

(a) made out on the official form provided by the Development Officer;
(b) supported by two copies of drawings drawn to scale. Where a building is involved, the scale shall not be smaller than ⅛" equals one foot. In the case of a plot plan the scale shall not be smaller than 1" equals thirty feet.
(c) the drawings shall indicate:
  (i) the location of the sign by elevational drawing or plot plan,
  (ii) the overall dimensions of the sign,
  (iii) the size of the letters or letter,
  (iv) the amount of projection from the face of the building,
  (v) the amount of projection over municipal property,
  (vi) the height of the sign above the street or side-walk or the height above the average ground level at the face of the building,
  (vii) the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction,
  (viii) the least distance that the sign will be erected from an intersection of one street with another. Also, the least distance from any device for the control of traffic at such an intersection.

(2) No person shall perform any work of erection or of placing a sign differing from or enlarging the work for which a development permit has been issued. If during the progress of the work the applicant desires to deviate in any way from the terms of the original approved development permit he shall notify the Development Officer and submit amended drawings, and, if necessary, shall make application to the Development Officer for approval of the plan as amended.

(3) A development permit shall not be required to clean, repair, or repaint any sign.

4. GENERAL PROVISIONS

(1) All proposed signs, with the exception of the exemptions as provided for in Section 2, shall be authorized by the Development Officer prior to any building permit being issued.

(2) (a) With the exception of the special provisions relating to billboards, all signs shall contain "point-of-sale advertising" only, as defined;
(b) No sign shall be permitted which is attached to a fence, pole, tree or any object in a public street or publicly-owned place.
(c) No sign shall be permitted which is attached to or standing on the ground in any public street or publicly-owned place.
(d) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.

(3) All signs must be maintained in a satisfactory manner or notice will be served to perform the necessary repairs or remove the sign(s) within 30 days.

5. FASCIA SIGNS

(1) Fascia signs, with the exception of the exemptions as provided for in Section 2, shall only be permitted in the districts defined on the Land Use District Map of the Town of Vermilion as C1, C2, C3, C4, C5, M. All fascia signs shall be erected so that they:

(a) do not project more than 18 inches above the top of the vertical face of the wall to which they are attached, and
(b) do not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage, and
(c) are located on a business frontage as defined.

(2) Fascia signs on a flank or gable wall which is not a business frontage, as defined, shall be considered by the Development Appeal Board according to the merits of the individual application.

(3) On commercial and industrial buildings which are non-conforming uses in areas designated as residential, fascia signs shall be considered by the Development Appeal Board according to the merits of the individual application.

6. MARQUEE AND CANOPY SIGNS

(1) Marquee and canopy signs shall be considered as fascia signs according to the provisions of Section 5, provided that:

(a) they shall be attached to the front edge of the marquee or canopy;
(b) no additional supporting wires or stays shall be attached to the canopy or wall;
(c) no portion of the sign shall project below the bottom edge, or more than 18 inches above the top edge, of the marquee or canopy;
(d) a sign not exceeding 1 ft. by 4 ft. in outside dimensions may be suspended below a marquee or canopy provided no part of the sign shall be closer than 8 ft. to the ground or sidewalk.

(2) Roof signs shall be considered as fascia signs according to the provisions of Section 5, where the following conditions are met:

(a) the sign shall be attached to the front edge of the roof;
(b) no additional supporting wires or stays shall be attached to the roof;
(c) no portion of a sign shall project more than 18 inches above the roof.

7. PROJECTING SIGNS

(1) Projecting signs, with the exception of the exemptions as provided for in Section 2, shall only be permitted in areas as defined as C1, C2, C3, C4, C5, M. All projecting signs shall be erected so that:

(a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 10 ft. above the ground or sidewalk grade;
(b) no part of the sign shall project more than 18 inches above the top of the vertical face of the wall to which it is attached;
(c) the space between the sign and supporting structure shall not be more than 2 ft.
(d) there shall be only one projecting sign for each business frontage, provided that, if a business frontage shall exceed 50 ft. a further projecting sign shall be permitted for each additional 50 ft. or portion thereof;
(e) the permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

amount of projection	6'	5'	4'	3'	or less
maximum area of sign	35	48	60	75	sq. ft.

(f) support shall not be provided by an "A" frame.

8. FREE-STANDING SIGNS

(1) Free-standing signs, with the exception of the exemptions provided for in Section 2, shall only be permitted in areas defined as C1, C2, C3, C4, C5, M. All free-standing signs shall be erected so that:

(a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 10 ft. nor more than 30 ft. above ground or sidewalk grade;
(b) no part of the sign shall project beyond the property line;
(c) the area of the sign shall not exceed the ratio of 1 sq. ft. for each linear foot of business frontage to a maximum of 90 sq. ft., with the area of the sign being computed exclusive of the pylon or support provided that it is free of advertising;
(d) there shall not be more than one free-standing sign for each business frontage.
(e) the portion used for support be painted and/or finished to the satisfaction of the Development Officer.

(2) Billboards shall be considered by the Development Officer according to merits of each individual application and shall be subject to the conditions that:

(a) the structure shall not exceed 12 ft. in height and 32 ft. in length;
(b) the vertical posts supporting the structure shall not project above the upper edge of the boardings;
(c) any additional bracing shall be contained within the front and rear faces of the vertical posts;
(d) the rear of any billboard, which is plainly visible from a public thoroughfare, shall be covered with wooden slats or trellis fixed against the rear edge of the vertical posts and painted;
(e) no part of the structure shall project over public property; or placed on right-of-way.
(f) no billboard shall be erected less than 500 ft. from any existing billboards;
(g) the structure shall at all times be maintained, in the opinion of Council, in a satisfactory manner for the term of the permit.
(h) All signs must comply with the following and shall be limited to:
  (i) Local advertising.
  (ii) Facilities located within a radius of 30 miles.
  (iii) Indirect lighting, which excludes flashing or animated lighting.
  (iv) One sign for each licensed business development.
(i) Permits for bill boards shall be renewed each year, prior to the thirty-first day of January, accompanied by a fee of ten ($10.00) dollars for each renewal permit.
  (i) Renewal permit shall not be issued for signs which are not, in the opinion of the Council, maintained in a satisfactory manner.
  (ii) Signs, for which renewal permits are refused, not applied for, or that are installed without a permit, shall be removed.

The owner shall be mailed, to his last known address, a Notice allowing him 30 days from date of Notice to remove the sign. If the Owner fails to comply with the Notice, the Development Officer will remove and destroy the sign(s) erected or maintained without a permit.

9. ILLUMINATED ROOF AND SKY SIGNS

(1) Illuminated roof and sky signs may only be permitted in commercial districts. They shall be considered by the Development Officer according to the merits of each individual application, provided that:

(a) the sign shall be attached to a flat roof on a building more than 35 ft. high;
(b) the Development Officer shall be satisfied that the purpose of the sign cannot be achieved by another type of sign;
(c) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 4 ft. or more than 15 ft. above the level of the roof;
(d) the sign must refer to the principal use of the building on which it is erected.

10. VARIANCES

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that practical difficulties, or results inconsistent with the general purposes of these regulations may result from their strict and literal interpretation and enforcement, variances shall be considered by the Development Appeal Board according to the merits of the individual application.

11. EXISTING SIGNS

These Sign Regulations shall not be applied to signs legally in existence at the date of the adoption of this Bylaw.

TOWN OF VERMILION
LAND USE BY-LAW

Application No. ..... FORM A

APPLICATION FOR DEVELOPMENT

I hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: ..... Telephone: .....

Address: .....

Address of property to be developed: .....

Lot: ..... Block: ..... Registered Plan or: .....

Certificate of Title: .....

Registered Owner: ..... Address: .....

Existing Use: ..... Land Use District .....

Principal Use: .....

.....

Lot Type: interior ..... Corner ..... Through .....

Lot Width ..... Lot Length ..... Lot Area .....

Front Yard ..... Side Yards ..... Rear Yard .....

Floor Area ..... Percentage of lot occupied .....

Off-Street Parking: Size of space ..... Number of spaces .....

Off-Street Loading: Size of space ..... Number of spaces .....

Accessory Use: .....

Percentage of lot occupied ..... Height of accessory building .....

Set back from side lot line ..... Set back from rear lot line .....

Estimated cost of the project or contract price: .....

Estimated dates of commencement and completion: .....

I hereby give my consent to allow all authorized persons the right to enter the above land and)or buildings, with respect to this application only;

Date of Application: ..... Signature of Applicant .....

TOWN OF VERMILION
LAND USE BY-LAW

Permit No. .....

FORM B

DEVELOPMENT PERMIT

Development involving ..... (as further described in Application No. .....) has been:

APPROVED

APPROVED, subject to the following conditions, (state reasons):

.....

.....

.....

.....

You are hereby authorized to proceed with the development specified provided that any stated conditions are complied with; that development is in accordance with any approved plans and applications; and, that a Building Permit is obtained if construction is involved. **Should an appeal be made against this decision to the Development Appeal Board, the development permit shall be null and void.**

Date of Decision ..... Date of Issue of Development Permit .....

Signature of Development Officer .....

NOTE:

1. The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until 15 days after the date the order, decision or development permit is issued.

2. The Land Use By-law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of the decision is given.

3. A permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

TOWN OF VERMILION
LAND USE BY-LAW

Application No. ..... FORM C

NOTICE OF REFUSAL

You are hereby notified that your application for a development permit with regard to the following:

has been REFUSED for the following reasons:

You are further notified that you may appeal this decision to the Development Appeal Board in accordance with the provisions of Section 14 of this By-law. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Secretary of the Development Appeal Board not later than fourteen (14) days following the date of issue of this notice. The notice of appeal shall contain a statement of the grounds of appeal.

Date of Decision: .....

Date of Notice of Decision: .....

SIGNATURE OF DEVELOPMENT OFFICER

TOWN OF VERMILION
LAND USE BY-LAW

Application No: ..... FORM D

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

This is to notify you with respect to a decision of the Development Officer whereby a development permit has been issued authorizing the following development.

Address of property .....

Lot ..... Block ..... Registered Plan .....

or Certificate of Title .....

Date of Decision .....

The Land Use By-law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of the decision is given.

TOWN OF VERMILION
LAND USE BY-LAW

FORM E

NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the DEVELOPMENT APPEAL BOARD against a decision is respect of Application No. .....
which invoives development described as follows:

APPROVED
The decision APPROVED WITH CONDITIONS a development permit for the following reasons:
REFUSED

PLACE OF HEARING: .....

TIME OF HEARING: .....

DATE OF HEARING: .....

Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than .....

.....

DATE

SIGNATURE of Secretary
Development Appeal Board

TOWN OF VERMILION
LAND USE BY-LAW

Application No.: ..... FORM F

NOTICE OF APPEAL DECISION

This is to notify you than an appeal against the APPROVAL / REFUSAL WITH CONDITIONS of a development permit with regard to the following:

was considered by the DEVELOPMENT APPEAL BOARD ON .....

19 ..... and the decision of the DEVELOPMENT APPEAL BOARD with regard to the appeal is as follows and for the following reasons:

DATE

SIGNATURE of Secretary
Development Appeal Board

Note:
A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Planning Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made
(a) to a judge of the Appellate Division, and
(b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

TOWN OF VERMILION
LAND USE BY-LAW

FORM G

APPLICATION FOR AMENDMENT TO THE LAND USE BY-LAW

I/We hereby make application to amend the Land Use By-law.

Applicant: Name ..... Telephone .....

Address .....

Owner of Land: Name ..... Telephone .....

Address .....

Land Description: Lot ..... Block ..... Registered Plan .....

Certificate of Title .....

Amendment Proposed

FROM ..... TO .....

Reasons in support of Application for Amendments

I/We enclose $ _____ being the application fee.

DATE _____ SIGNED _____

METRIC CONVERSION CHART

Soft Conversion		Hard Conversion	
Existing measurements in by-law	Metric Equivalent	Suggested Metric Measurement	Imperial Equivalent
6 in.	15.24 cm.	.15 m	.49 ft.
30 in.	76.20 cm.	.76 m	2.49 ft.
2 feet	.6096 metres	.6 metres	1.9685 feet
3	.9144	.9	2.9685
5	1.5240	1.5	4.921
6	1.8288	1.8	5.889
7	2.1336	2.1	6.889
8	2.4384	2.4	7.874
10	3.0480	3.0	9.8425
12	3.6576	3.7	12.139
15	4.5720	4.6	15.092
16	4.8768	4.9	16.076
18	5.4864	5.5	18.092
20	6.0960	6.1	20.013
25	7.6200	7.6	24.934
30	9.1440	9.1	29.856
40	12.192	12.2	40.026
50	15.240	15.2	49.869
60	16.288	18.3	60.869
75	22.860	22.9	75.130
80	24.384	24.4	80.052
100	30.480	30.5	100.65
125	38.100	38.1	124.99
134	40.843	40.8	133.85
150	45.720	45.7	149.93
200	60.960	61.0	200.13
209	63.7032	63.7	208.89
400	121.920	121.9	399.93
500	152.40	152.4	500.00
1000	304.80	304.8	1000.00

1 acre	.4 hectares
3	1.2
5	2.0
10	4.0
20	8.0
80	32.5
160	65.0

Soft Conversion		Hard Conversion	
Existing measurements in by-law	Metric Equivalent	Suggested Metric Measurement	Imperial Equivalent
2,000 gallons	9,092.2 litres		
3,000	13,638.3		
6,000	27,277.0		
12,000	54,553.2		
20,000	90,922		
50,000	227,300		
½ mile	.80467 km	.8 km	.49710 mile
10	16.093	16.0 km	9.9419 mile
1 sq. ft.	0.0929 sq. m	.1 sq. m	
6	0.5574	.6	
20	1.8581	1.9	
285	26.477	26.5	
600	55.742	55.7	
750	69.677	69.7	
900	83.613	83.6	
1,000	92.903	92.9	
1,500	139.35	139.4	
1,600	148.64	148.6	
6,000	557.42	557.4	
10,000	929.03	929.0	
20,000	1858.1	1858.1	

COMMON EQUIVALENTS AND CONVERSIONS

Approximate Common Equivalents	Accurate Conversions
1 in. = 25 mm	in. x 25.4 = m
1 ft. = 0.30 m	ft. x 0.3048 = m
1 yard = 0.91 m	yd. x 0.9144 = m
1 mile = 1.6 km	miles x 1.609 344 = km
1 sq. in. = 6.5 cm^2	sq. in. x 6.4516 = cm^2
1 sq. ft. = 0.90 m^2	sq. ft. x 0.092 903 04 = m^2
1 sq. yd. = 0.84 m^2	sq. yd. x 0.836 127 4 = m^2
1 acre = 0.40 ha	acres x 0.404 685 6 = ha
1 gallon = 4.5 litres	gallon x 4.546 09 = litre

APPENDIX
AIRPORT VICINITY PROTECTION AREA REGULATION

O.C.995/81
October 20, 1981
Alberta Regulation 383/81/

CONSOLIDATION

APPENDIX
THE PLANNING ACT, 1977
Vermilion Airport Vicinity Protection Area Regulation

1 (1) In this regulation,

(a) "airport" means the Vermilion Airport within the Protection Area;

(b) "airport reference point" means the middle point of the airport runway as shown on the map in Schedule E;

(c) "approach surface" means an approach surface as described in Schedule D;

(d) "basic strip" means a basic strip as described in Schedule D;

(e) "development permit" means a document authorizing a development and issued pursuant to a land use by-law;

* (f) "land use by-law" means

(i) with reference to land in the Protection Area that is within the boundaries of the County of Vermilion River No. 24, the Land Use By-Law for the County of Vermilion River, or

(ii) with reference to land in the Protection Area that is within the boundaries of the Town of Vermilion, the Land Use By-Law for the Town of Vermilion,

as amended from time to time;

(g) "municipality" means

(i) the County of Vermilion River No. 24, or

(ii) the Town of Vermilion,

as the context requires;

(h) "noise exposure forecast area" or "NEF Area" means an area of land within the Protection Area that

(i) is enclosed by the 40 NEF Contour,

(ii) lies between 2 NEF Contours, or

(iii) lies between the 25 NEF Contour and the boundary of the Protection Area,

as shown on the map in Schedule B;

(i) "NEF Contour" means a numbered contour as shown on the map in Schedule B;

(j) "outer surface" means the Vermilion Airport Vicinity Protection Area described in Schedule A and shown on the map in Schedule B;

(k) "transitional surface" means a transitional surface as described in Schedule D;

(l) "Transport Canada" means the chief officer at Edmonton of the Civil Aviation Branch of Department of Transport of Canada, or any other officer of the Branch authorized by him to act on his behalf.

(2) For the purposes of this regulation, the elevation of the airport reference point is deemed to be 615 metres above sea level.

(3) If any discrepancy exists between the description of the Protection Area in Schedule A and the location of the Protection Area as shown on the map in Schedule B, the description in Schedule A prevails.

(4) If a decision of a development officer under this regulation is appealed to a development appeal board, the board has, in respect of the application for the development permit, the same powers and duties as the development officer under this regulation.

(5) Notwithstanding subsection (4), a development appeal board is not under a duty to refer an application for a development permit to Transport Canada unless the development officer has not done so.

2 (1) This regulation applies to a proposed development in the part of the municipality within the Protection Area notwithstanding

(a) that a development permit could otherwise be issued in accordance with the municipality's land use by-law, or

(b) that the development is of a kind that is exempted under the municipality's land use by-law from the requirement to obtain a development permit.

(2) This regulation does not operate to preclude a development officer or development appeal board from exercising any powers under any other law to refuse the issue of a development permit or to attach conditions to a development permit.

Establishment of Protection Area

3 The part of Alberta described in Schedule A is established as an airport vicinity protection area.

* Amendment Regulation 244/84; July 5, 1984.

Land Use

4 (1) For the purposes of this section and Schedule C, the Protection Area is divided into the following land use districts, namely,
(a) the Airport Clear District, designated A-CL,
(b) the Airport Agricultural District, designated A-A,
(c) the Airport Industrial District, designated A-M, and
(d) the Airport Urban District, designated A-U,
as shown on the map in Schedule B.

(2) Subject to subsections (4) and (5), a development officer shall not issue a development permit for a development in a NEF Area within a land use district if that kind of development in that NEF Area
(a) involves a use that is not shown on the Land Use column for that district in Table 1 of Schedule C,
(b) involves a use that is prohibited according to the portion of Table 1 of Schedule C relating to that district, or
(c) involves a use that is, in the opinion of the development officer, substantially similar to a use that is prohibited according to the portion of Table 1 of Schedule C relating to that district.

(3) Subject to subsection (4), a development officer shall not issue a development permit for a development in a NEF Area within a land use district if that kind of development in that area, according to Schedule C involves a conditional use, unless the development permit contains the appropriate condition for that kind of development in the form prescribed in Table 2 of Schedule C or in substantially the same form.

(4) If an application is made for a development permit for a development in a particular NEF Area within a land use district and the development officer is of the opinion that that kind of development in that area involves a use that is substantially similar to a use that is designated by a "C" followed by a number with respect to that area according to the portion of Table 1 of Schedule C relating to that district, the development officer may issue the permit subject to the appropriate condition in Table 2 of Schedule C.

(5) If an application is made for a development permit for a development in a particular NEF Area within a land use district and the development officer is of the opinion that the development involves a use that is substantially similar to a use that is designated "P" for that area according to the portion of Table 1 of Schedule C relating to that district, the development officer may issue the permit without any conditions.

(6) If an application is made for a development permit and the designation "P" appears in the appropriate NEF Area column in Table 1 of Schedule C opposite the description of the particular land use involved in the application, the development officer shall not
(a) refuse the application pursuant to subsection (2) (c), or
(b) issue a development permit containing a condition pursuant to subsection (3) or (4).

Development in Relation to Safety

5 (1) This section does not apply in any case where the issuance of a development permit is refused pursuant to section 4.

(2) A development officer shall refer an application for a development permit to Transport Canada if the proposed development is within the Protection Area and consists of
(a) a plant for the manufacture of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, stone, clay or glass products, cement or lime products, fertilizers or animal by-products,
(b) a plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacture of ashphalt or ready-mixed concrete, gravel crushing or meat packing,
(c) a public incinerator,
(d) a sewage treatment and disposal plant,
(e) a hay or forage drier, seed cleaning plant or feed mill plant,
(f) a thermal electric power generating plant or a steam generating plant,
(g) anything that includes an electronic device, apparatus, equipment or other thing that
(i) is operated for industrial, scientific, medical or similar purposes,
(ii) produces and utilizes radio frequency energy in its operations but is not used for radio communication,
or
(h) anything that will or will likely result in
(i) emissions of steam or smoke,
(ii) accumulations of any material or waste edible by or attractive to birds, or
(iii) the use of extensive exterior lighting.

(3) A development officer need not refer an application to Transport Canada in a case to which subsection (2) (h) applies if he is satisfied that the emissions, accumulations or lighting, as the case may be, will not be of sufficient intensity or quantity to interfere with the safe operation of the airport.

6 (1) Subject to subsection (2), when an application for a development permit is required by section 5 to be referred to Transport Canada, a development permit shall not be issued for the development unless
(a) a copy of the application has in fact been received by Transport Canada, and
(b) either the development officer has received notice from Transport Canada approving or conditionally approving the development or no response is received from Transport Canada within the 21-day period following the date on which the copy of the application was received by Transport Canada.

(2) If the development officer receives notice under subsection (1) of the conditional approval of Transport Canada to the development, a development permit issued for the development shall contain the condition referred to in the notice.

Height Limitations

7 (1) A development permit shall not be issued for a development in the Protection Area if the highest point of the development will exceed in elevation at the location of that point any of the following surfaces that project immediately above the surface of the land at that location:
(a) the approach surfaces of the runway of the airport;
(b) the transitional surfaces of the runway of the airport;
(c) the outer surface.

(2) For the purposes of this section,
(a) if the proposed development is a railway, the highest point of the development shall be deemed to be 6 metres higher than the actual height of the rails, and
(b) if the proposed development is a highway or roadway, the highest point of the development shall be deemed to be 4 metres higher than the actual height of the highest part of the travelled portion of the highway

8 A municipality may make application to the Minister for an amendment to this regulation.

SCHEDULE A
VERMILION AIRPORT VICINITY PROTECTION AREA

The Vermilion Airport Vicinity Protection Area consists of land described below.

In Township 50, Range 6, West of the 4th Meridian
West half of section 26;
North half of section 27;
North half of the southeast quarter of section 27;
Southeast quarter of the southeast quarter of section 27;
North half of the northeast quarter of section 28;
Northeast quarter of the northeast quarter of section 31;
North half of section 32;
North half of southeast quarter of section 32;
West half of section 33;
Southeast quarter of section 33;
South half of the northeast quarter of section 33;
Southwest quarter of section 34;
South half of the southeast quarter of section 34.

In Township 51, Range 6, West of the 4th Meridian
Southwest quarter of the southwest quarter of section 4;
South half of the southwest quarter of section 5;
Southeast quarter of section 5.

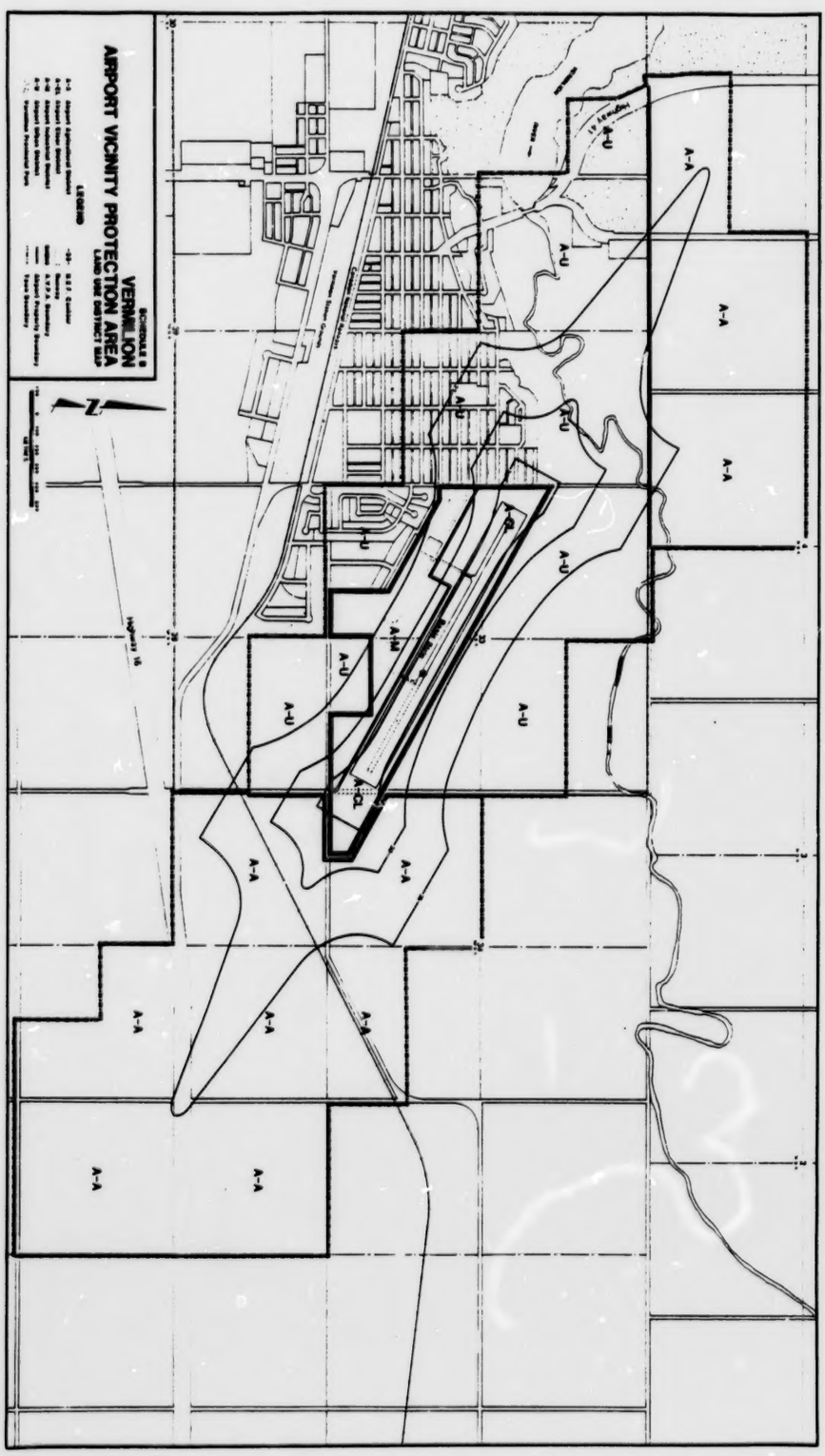
SCHEDULE B
VERMILION AIRPORT VICINITY PROTECTION AREA
LAND USE DISTRICT MAP

Amendment Regulation 146/83
April 20, 1983

SCHEDULE B

VERMILION AIRPORT VICINITY PROTECTION AREA

LAND USE DISTRICT MAP



SCHEDULE C
LAND USE IN RELATION TO NOISE EXPOSURE FORECAST AREAS

1 In this Schedule,

(a) "C", followed by a number where it appears in one of the NEF Area columns in Table 1 opposite a particular land use, means that the land use is permitted subject to the condition set out in Table 2 bearing the same letter and number;

(b) "NA", where it appears in one of the NEF columns in Table 1 opposite a particular land use, means that the land use is prohibited in that NEF Area;

(c) "P", where it appears in one of the NEF columns in Table 1 opposite a particular land use means that the land use in that NEF Area is neither prohibited by this regulation nor is a development permit for a development involving that use to be made subject to any condition under this regulation;

(d) "NEF 25- Area" means the NEF Area that lies between the 25 NEF and the boundary of the Protection Area;

(e) "NEF 25-30 Area" means the NEF Area that lies between the 25 NEF Contour and the 30 NEF Contour;

(f) "NEF 30-35 Area" means the NEF Area that lies between the 30 NEF Contour and the 35 NEF Contour;

(g) "NEF 35-40 Area" means the NEF Area that lies between the 35 NEF Contour and the 40 NEF Contour;

(h) "NEF 40+ Area" means the NEF Area enclosed by the 40 NEF Contour;

(i) "residential replacement or infilling unit" means any new residential development that

(i) will replace a residential development that was demolished or destroyed, or

(ii) is to be built on a lot in a subdivision plan registered under The Land Titles Act before the coming into force of this regulation;

(j) "farm buildings" means the residence and other improvements used in connection with the growing and actual sale of trees, shrubs, and sod or any one or more of them for transplanting or the raising or production of crops, livestock or poultry or in connection with fur production or beekeeping and situated on farm land outside a city, town, new town, village or summer village.

SCHEDULE C
LAND USE IN RELATION TO NOISE EXPOSURE FORECAST AREAS

TABLE 1

Airport Clear District (A-CL)

Land Uses	Noise Exposure Forecast Areas				
	NEF 25- Area	NEF 25-30 Area	NEF 30-35 Area	NEF 35-40 Area	NEF 40+ Area
Airport	P	P	P	P	P
Farm Building	P	P	P	P	P

Airport Industrial District (A-M)

Land Uses	Noise Exposure Forecast Areas		
	NEF 25- Area	NEF 25-30 Area	NEF 30-35 Area
Aircraft Hangars	P	P	P
Aircraft sales, maintenance and repairs	P	P	P
Flying Clubs	P	P	P

Airport Agricultural District (A-A)

Land Uses	Noise Exposure Forecast Areas				
	NEF 25- Area	NEF 25-30 Area	NEF 30-35 Area	NEF 35-40 Area	NEF 40+ Area
Alberta Transportation Maintenance Yards, Signs & Government Weigh Scales	P	P	P	P	P
Abattoir	P	P	P	P	P
Auto Wrecker	P	P	P	P	P
Cemetery	P	P	P	P	P
Church	P	C2	C2	NA	NA
Country Residence	P	C1	NA	NA	NA
Commercial Feedlot	P	P	P	P	P
Drive-in Theatre	P	P	P	P	P
Farm Building	P	P	P	P	P
Home Occupation	P	P	P	P	P
Institutional and Public Use	P	P	C2	C2	C2
Mobile Home Parks	P	NA	NA	NA	NA
Motel	P	P	C1	NA	NA
Natural Resource Extraction Industry	P	P	P	P	P
Recreation Use	P	P	P	P	P
Resort	P	C1	NA	NA	NA
Restaurant	P	P	C2	C2	C2
Rural Commercial and Business Use	P	P	C2	C2	C2
Rural Industries	P	P	P	P	P
Service Station	P	P	P	P	P

Land Uses	Airport Urban District (A-U) Noise Exposure Forecast Areas				
	NEF 25- Area	NEF 25-30 Area	NEF 30-35 Area	NEF 35-40 Area	NEF 40+ Area
1. **Residential Uses**					
All types except residential replacement or infilling units	P	C1	NA	NA	NA
Mobile Homes	P	NA	NA	NA	NA
Residential Replacement or infilling units	P	C1	C1	C1	C1
2. **Public & Semi-Public Uses**					
Cemetery	P	P	P	P	P
Church	P	C2	C2	NA	NA
Community Hall	P	C2	C2	NA	NA
Hospital	P	C2	NA	NA	NA
Nursing Home	P	C1	NA	NA	NA
Recreation Use	P	P	P	P	P
School	P	C2	NA	NA	NA
Senior Citizen Home	P	C1	NA	NA	NA
Public Utility Installation	P	P	P	P	P
3. **Agricultural**					
Farm Building	P	P	P	P	P
4. **Commercial**					
Private Club & Lodge	P	P	C2	NA	NA
5. **Industrial**					
Light Manufacturing	P	P	P	C2	C2
Servicing Establishment	P	P	P	C2	C2
Warehouse	P	P	P	P	P
Workshop	P	P	C2	C2	C2

SCHEDULE C

* TABLE 2
LAND USE CONDITIONS

C1 or C2 Construction of Buildings shall conform to the exterior acoustic insulation requirements of Part 12 of the Alberta Building Code 1981 (Alta. Reg. 128/81) for those NEF Areas other than the NEF 25-Area unless otherwise stated in this regulation. Where either of these conditions is specified, the development officer shall indicate on the development permit the NEF Areas in which the proposed development would be located for reference of the building inspector at the time of the building permit application.

* Amendment Regulation 244/84; July 5, 1984.

SCHEDULE D

HEIGHT LIMITATIONS
VERMILION AIRPORT VICINITY PROTECTION AREA

Basic Strip

1 The basic strip associated with the airport runway is an area 304 metres in width and 1341 metres in length, the location of which is shown on the map in Schedule E.

Approach Surfaces

2 There is an approach surface with each end of the basic strip and in each case the approach surface is an imaginary surface consisting of an inclined plane that
(a) commences at and abuts the end of the basic strip,
(b) rises at an angle of 1.15 degrees (1:50) measured from an imaginary horizontal surface at the elevation of the end of the basic strip,
(c) diverges toward on each side as it rises, at an angle of 8.53 degrees measured from the respective projected lateral limits of the basic strip, and
(d) ends at its intersection with the outer surface.

Transitional Surfaces

3 There is a transitional surface associated with each lateral limited of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that
(a) commences at and abuts the lateral limit of the basic strip,
(b) rises at an angle of 8.14 degrees (1:7) measured from the lateral limit of the basic strip, and
(c) ends at its intersection with the outer surface or an approach surface.

Outer Surface

4 The outer surface of the Protection Area is an imaginary surface consisting of a common plane established at a constant elevation of 45 metres above the elevation of the airport reference point.

General

5 The area location of the approach surfaces and transitional surfaces are represented on the map shown in Schedule E but if any discrepancy exists between the description of the approach surfaces or transitional surfaces in this Schedule and their location on the map in Schedule E, the description in this Schedule prevails.

SCHEDULE E

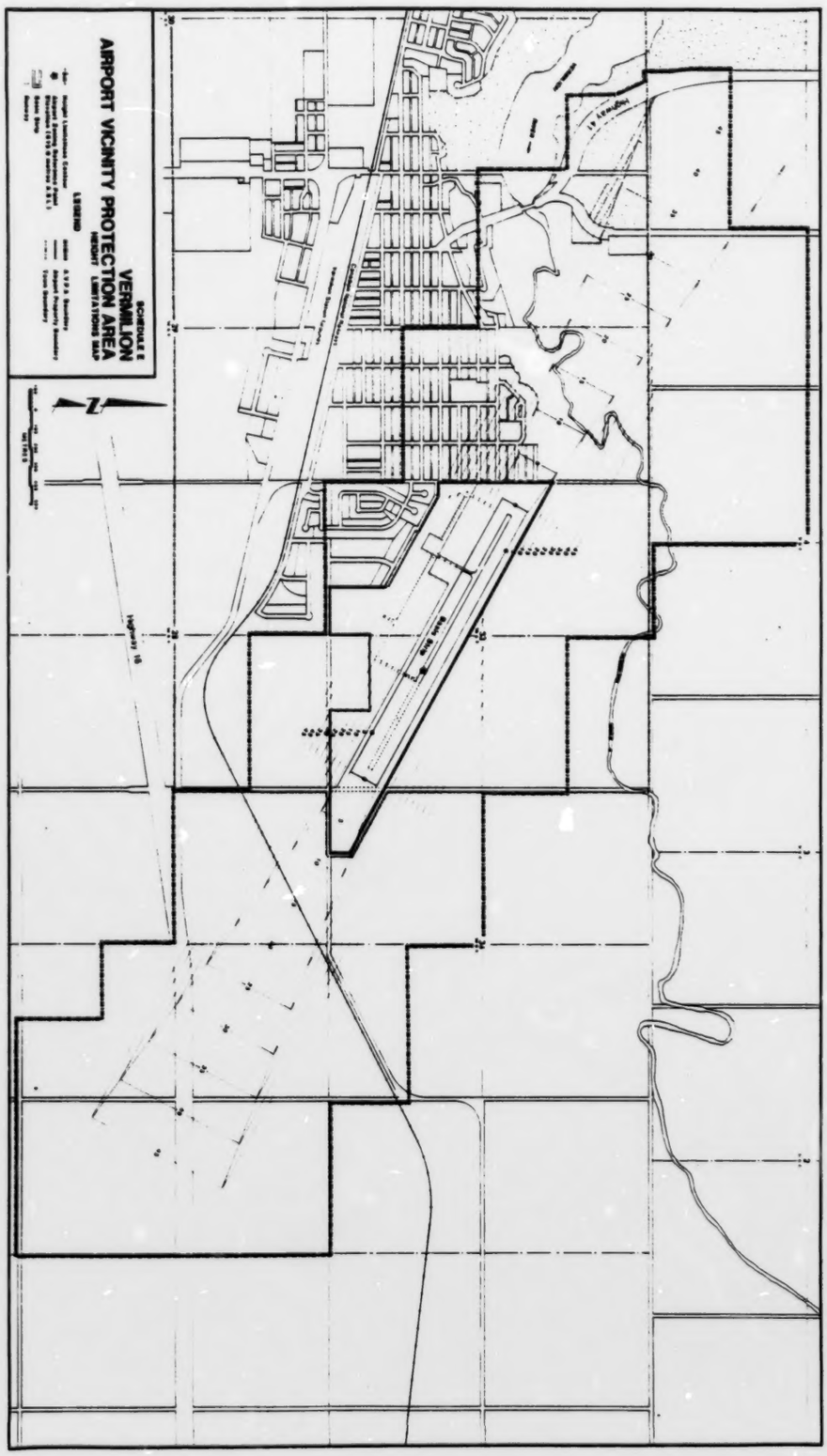
VERMILION AIRPORT VICINITY PROTECTION AREA
HEIGHT LIMITATIONS MAP

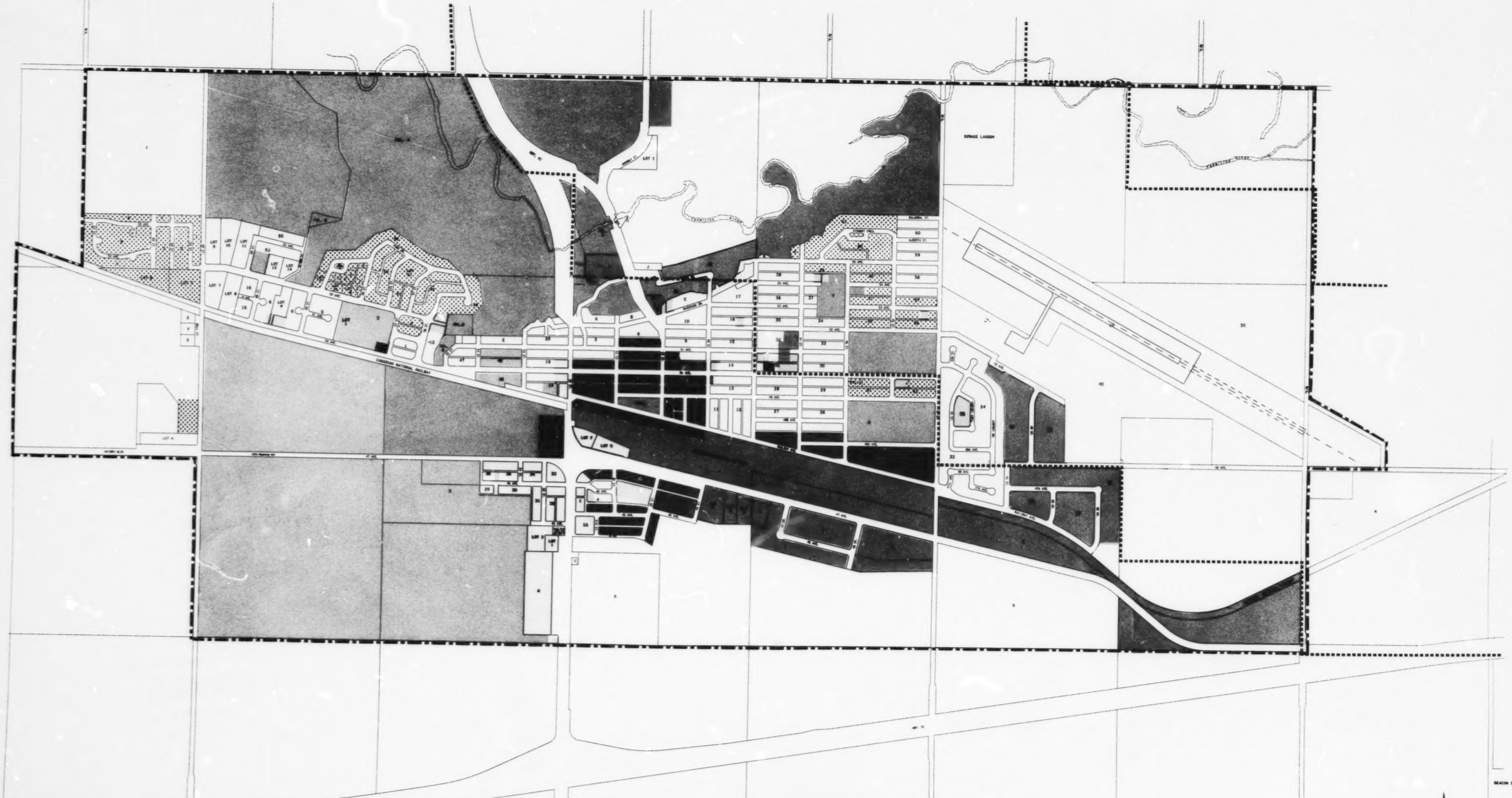
Amendment Regulation 146/83
April 20, 1983

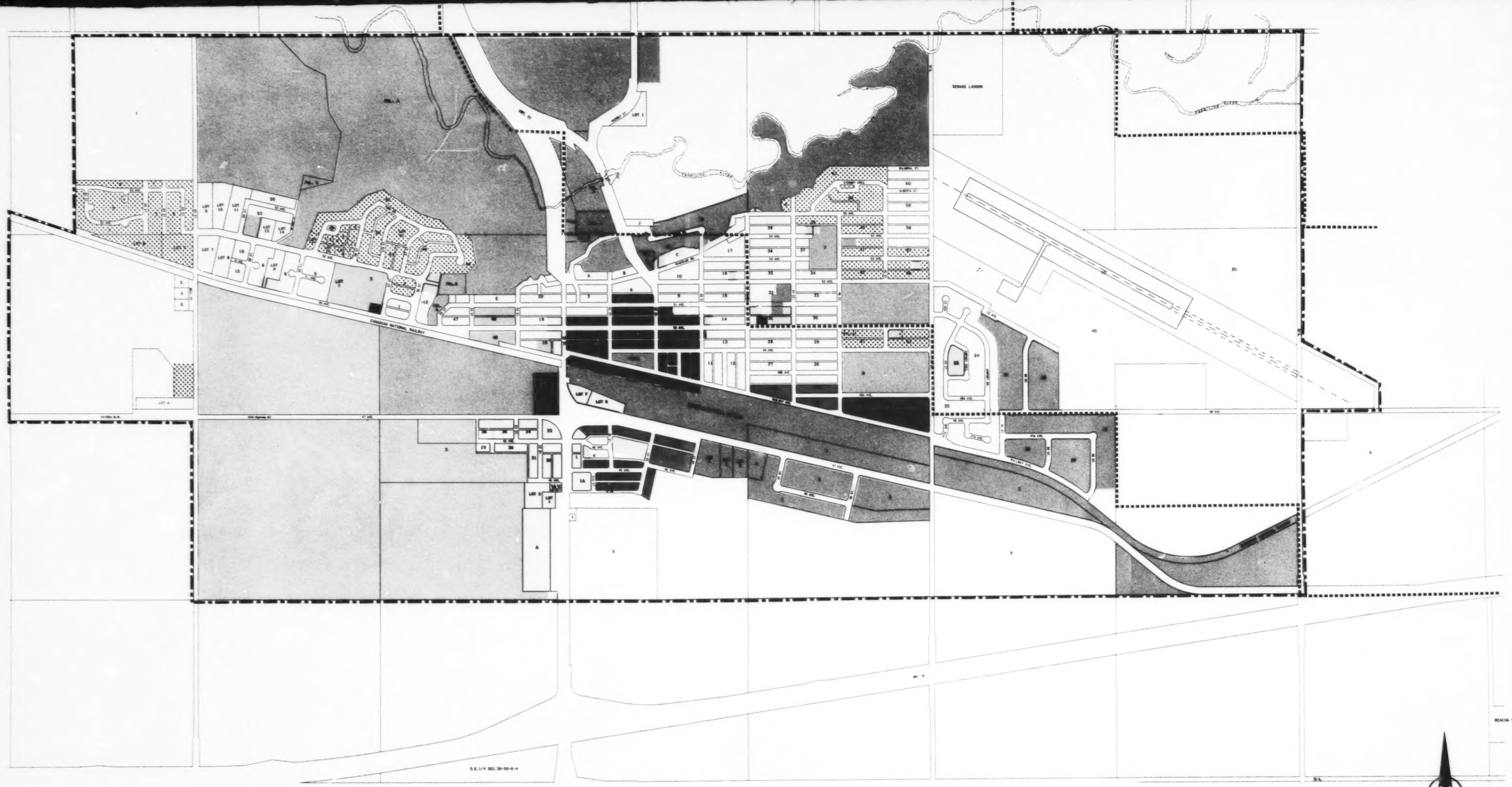
SCHEDULE E

VERMILION AIRPORT VICINITY PROTECTION AREA

HEIGHT LIMITATIONS MAP




SEWAGE LAGOON
CANADIAN NATIONAL RAILWAY
BEACON SITE



R1– RESIDENTIAL
R2– RESIDENTIAL
R3– RESIDENTIAL
R4– RESIDENTIAL
RMH1 – MOBILE HOME – Subdivision
RMH2 MOBILE HOME–Park
C1 COMMERCIAL–Central
C2 COMMERCIAL–Secondary
C3 COMMERCIAL–Highway
C4 COMMERCIAL–Shopping
M INDUSTRIAL
P COMMUNITY
I INSTITUTIONAL
UR URBAN RESERVE
CD CONTROLLED DEVELOPMENT
------- AIRPORT VICINITY PROTECTION AREA BOUNDARY

Town of Vermilion

Land Use District Map